THE

Historical Register,

Containing

An Impartial RELATION of all TRANSACTIONS, *Foreign* and *Domestick*.

WITH A

Chronological Diary

OF ALL

The remarkable OCCURRENCES, *viz. Births, Marriages, Deaths, Removals, Promotions*, &c. that happen'd in this Year: Together with the *Characters* and *Parentage* of Persons deceased, of eminent Rank.

VOLUME IX.

For the Year 1724.

LONDON,

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N. B. This Title is design'd for such Persons as think fit to bind the four last *Registers* in one Volume. And, for the same Reason, a Table is added at the End of the Thirty-sixth *Register*, of all the principal Matters contain'd in them.

THE *Historical Register.*

NUMBER XXXIII.

GREAT BRITAIN.

HAving been oblig'd for Want of Room in our last *Register* to omit the Tryal of the Bishop of *Rochester*, we will begin this *Register* by supplying that Omission.

Trial of Dr. Francis Atterbury, *Lord Bishop of* Rochester, *at the Bar of the House of Lords.*

ON Monday the 6th of *May*, 1723, about Eleven of the Clock in the Morning, the Bishop of *Rochester* was brought to the Bar of the Lords House, in Order to make his Defence against the Bill to inflict certain Pains and Penalties upon him, with the Assistance of his Counsel, Sir *Constantine Phipps* and Mr. *Wynne*. After the reading of the Bill, the King's Counsel open'd the Nature of it, display'd the Heinousness of the Conspiracy, and in particular, aggravated the Crime of the Prisoner at the Bar, who, as the Preamble suggested, was principally concern'd in forming, directing, and carrying on the said wicked, and detestable Plot. This done in Order to prove the Conspiracy in general, they offer'd to read several Extracts of Letters, which the Government had receiv'd from abroad: But this was oppos'd by the Bishop and his Counsel, who alledg'd, that Extracts of Letters, some of them from anonymous, or at least, from unknown Persons, ought not to be admitted as Evidence, and that according to the Method of legal

Proceedings,

Proceedings, the Originals themselves ought to be produc'd. After the Counsel on both Sides, had canvassed that Matter to and fro, they and the Prisoner were order'd to withdraw, and then a Motion was made, and the Question put, that the Extract offer'd by the Counsel for the Bill, of the Letter from Sir *Luke Schaub* to the Lord *Cartaret*, be read as Evidence; which being carry'd in the Affirmative by 95 Voices against 37, another Motion was made, and the Question put, Whether the Advice inclos'd in the Letter from Sir *Luke Schaub*, be read, tho' this House be not acquainted with the Person who gave that Advice?

This Question being also resolv'd in the Affirmative, the following Lords enter'd their Dissent, *viz.*

Strafford,	*Masham*,	*Foley*,
Osborn,	*Anglesey*,	*Exeter*,
Craven,	*Cowper*,	*Montjoy*,
Salisbury,	*Brook*,	*Weston*,
Northampton,	*Litchfield*,	*Willoughby de Br.*
Scarsdale,	*Bruce*,	*Compton*,
Aylesford,	*Denbigh*,	*Cardigan*,
Gower,	*Guilford*,	*Bingley*,
Boulet,	*Dartmouth*,	*Ashburnham*.
Fran. Castrien.	*Trevor*,	

Then the Counsel for the Bill offer'd to produce Copies of Letters intercepted at the Post-Office, Part of them written in Cypher, and afterwards decypher'd; But this too, was strenuously oppos'd by the Bishop and his Counsel, who put several puzzling Questions to Mr. *Willes*, one of the Decypherers, about the Nature, and Certainty of their Art. This Disquisition lasted till about Nine of the Clock in the Evening, when the Prisoner and the Counsel on both Sides being withdrawn, a Motion was made, and the Question put, that *Willes* be oblig'd to produce this Key of the Cypher? This Question being resolv'd in the Negative by 80 Voices against 43, another Motion was made, and the Question put, that the said Letters intercepted at the Post-Office, and decypher'd, be read as Evidence, which was carry'd in the Affirmative, and then the further Hearing of that Affair was put off to the next Day, and the Bishop remanded to the Tower.

The next Morning, (Tuesday *May* 7) he was brought again to the Bar of the Lords House, where the Coun-

sel

sel for the Bill going on with their Evidence, offer'd to read the Examinations and Confessions of *Philip Neyloe*, deceased; which was strongly oppos'd by the Bishop and his Counsel; but most of their Objections having already been over-rul'd in the Cases of *Plunket* and *Kelly*, and the Lord Viscount *Townshend* having affirm'd, and Mr. *Robert Walpole* attested the said Examinations, it was resolv'd by a Majority of 85 Voices against 41, that they should be admitted as Evidence; upon which, the said Examinations were read. Then the Counsel for the Bill offer'd to read several Letters intercepted at the Post-Office: Upon which the Bishop desir'd and insisted, that the Clerks of the Post-Office be examin'd, to these two Questions, *First*, Whether they had a sufficient Warrant and Authority, to stop and open the said Letters, and from whom they had such Warrant and Authority? *2dly*, Whether the Clerks of the Post-Office who copied the Letters, whose Originals had been forwarded, had intercepted the said Letters themselves, or receiv'd them from somebody else? The Bishop and the Counsel on both Sides being withdrawn, the Courtiers put the following Question, *viz.*

That it is the Opinion of this House, that it is inconsistent with the publick Safety, as well as unnecessary for the Prisoner's Defence, to suffer any further Enquiry to be made upon this Occasion, into the Warrants which have been granted by the Secretary of State for the stopping and opening of Letters which should come or go by the Post, or Into the Methods that have been taken by the proper Officers at the Post-Office, in Obedience to such Warrants?

After a long Debate that lasted 'till near Eleven of the Clock at Night, the said Question was carried in the Affirmative, by a Majority of 82 Voices against 40; upon which several Lords enter'd the following Protestation, *viz.*

Dissentient

1. Because we apprehend, that in all criminal Prosecutions, the Cross-examining of Witnesses is necessary for the Defence of the Prisoner, and for the Satisfaction of those who are to judge of the Facts allegd against him. In Order to the discovering of Truth, and detecting any fraudulent Evidence which should be offer'd; and the Resolution above recited, does, in our Opinions, debar the Bishop of *Rochester*, and every other Person concern'd, from asking any Questions of the Clerks of

the Post-Office, who are brought as Witnesses to the Bar, relating to the stopping and opening of Post Letters tho' Letters pretended to be stopp'd and open'd at the Post-Office, are read as Evidence against the Prisoner. And we conceive, that the preventing any further Enquiry on these Heads, must lay this House under great Difficulties, when they come to form a judgment on those Letters, the Validity of which will in a great Measure, depend on the Proof given of their having been truly stopp'd and open'd, as asserted.

2. We apprehend it to be impossible for this House to determine, that the Enquiry which is desir'd, is unnecessary to the Defence of the Prisoner, 'till he shall come to make his Application; and we conceive, he should have the Liberty of asking what Questions he or his Counsel think proper of the Clerks of the Post-Office, relating to the stopping and opening of Letters, without acquainting the House, what Use he intends to make of their Answers: And this appears to us to be highly reasonable, essential to Justice, and warranted by the Methods which this House hath hitherto allow'd the Counsel for the Support of the Bill to proceed in, who have, during the whole Course of this Examination, reserv'd the Application of the Evidence they have offer'd, 'till they should judge convenient to make it.

Scarsdale,	*Wharton,*	*Masham,*
Trevor,	*Craven,*	*Aylesford,*
Compton,	*Northampton,*	*Bathurst,*
Weston,	*Bingley,*	*Litchfield,*
Uxbridge,	*Willoughby de Br.*	*Osborn,*
Gower,	*Exeter,*	*Bruce,*
Stafford,	*Ashburnham,*	*Cardigan,*
Foley,	*Hay,*	*Anglesey.*
Pomfret,	*Denbigh,*	
Brook,	*Poulet,*	

The next Morning (Wednesday *May* 8,) the Bishop of *Rochester* being brought again to the Bar of the Lords House, the Counsel for the Bill went on with the rest of their Evidence, with less Interruption than the two preceding Days. The most remarkable Passage in this Day's Proceeding, was, that *William Wood*, late Coachman to the Bishop, being produc'd as a Witness, that Prelate ask'd him, What Reward he had receiv'd, or been promis'd, to depose against his Master? Which being re-

presented

presented as a Brow-beating of the King's Evidence, the Lord Chancellor rebuked the Prisoner for it. The Counsel for the Bill having summ'd up their Evidence, about Four a-Clock in the Afternoon, the Lords adjourn'd to the next Day.

Accordingly, on Thursday the 9th of *May*, the House of Peers being sat, and the Bishop brought to their Bar, his Counsel made Remarks and Observations on the Evidence produc'd on the other Side, and open'd the Evidence they had to offer, in Defence of their Client. Their cheif Business being to invalidate *Neynoe*'s Examinations, on which, great Stress was laid by the Counsel for the Bill, they observ'd, that what he pretended to know of the Bishop of *Rochester*, was only by Hearsay from Mr. *George Kelly*: But that as Hearsay was never admitted as legal Proof, much less ought it to have any Weight in this Case, where a dead Man's, *Neynoe*'s, Hearsay, was deny'd, and contradicted by *Kelly*, now alive. That *Neynoe*'s Examinations were neither sworn to, nor sign'd by him: But were he still living, and offer'd to confirm them by Oath, they could hardly be of any Force, since they were ready to prove, that he was drawn in to say and unsay, to affirm or deny any thing. To this Purpose, they offer'd to examine three Witnesses, *viz.* Mr. *Bingley*, Mr. *Skeene*, and Mr. *Stewart*, who were in the Custody of a State Messenger, at the same Time with *Neynoe*, and had an Opportunity to converse, or communicate together; but before they enter'd upon that Examination, the Bishop taking Notice, that Mr. Chancellor of the Exchequer was at the Bar, he said, 'It was not proper he should hear Depositions that affected him.' Whereupon Mr. *Walpole* withdrew.

Mr. *Bingley* being sworn, related what he knew concerning *Philip Neynoe*, with whom he had a great Intimacy, and was stopp'd with him at *Deal*, as they endeavour'd to go over into *France*, particularly, that *Neynoe* having been taken up, some Time before, upon Account of several scurrilous Libels he had writ against the Government, and publish'd in the *Free-holder's Journal*, and being under an Apprehension of being treated with the utmost Severity of the Law, on the one Hand, and tempted with large Promises of Reward, on the other, he consented to be employ'd by the Ministers, and to accuse the Earl of *Orrery*, the Bishop of *Rochester*, and several other innocent Persons, of having form'd a Con-

a Conspiracy against the Government; That the Lord F———d had declar'd a Prejudice, upon some private Account to the Bishop, and was resolv'd to pull down the Pride of that haughty Prelate. That Mr. Walpole instructed him (Neynoe) in private, what he should say in his Examinations before the Lords of the Council, and at divers Times, gave him great Sums of Money. That Neynoe, who all this while had nothing in View, but to impose on those who oblig'd him to act so villainous a Part, and to get out of their Reach, propos'd to the Ministers his going over to France, in order to gain further Intelligence of the Conspiracy, by narrowly observing the Steps of the Earl of Marr, Lord Lansdown, and other Persons suspected of being Agents for the Pretender in France; That Mr. Walpole seem'd at first, to approve this Overture, but whatever was the Reason, he afterwards chang'd his Opinion, and suspecting Neynoe's true Intention to cheat him, and give him the Slip, he caus'd him to be watch'd, and stopp'd at Deal.

This Deponent (Mr. Bingley) added, that he himself had been tamper'd with, and offer'd a Reward of 300 l. if he would turn Evidence against the Bishop of Rochester, which he refus'd to do.

The Lord Viscount Townshend, who, as well as the Chancellor of the Exchequer, was charg'd by this Deposition, in his own Vindication observ'd, that no Regard ought to be had to the Evidence of a notorious and zealous Jacobite, who had been convicted, whipt, pillory'd, and imprison'd at Dublin, upon two Indictments, one for publishing a treasonable Book call'd Nero, the other for speaking treasonable Words, and this, after having taken the Oaths to the Government; all which make him a less credible Witness in the present Case, than if he had, in a common Tryal, been prov'd a perjur'd Witness.

Whatever Weight was laid on this Objection, Mr. Skeene confirm'd upon Oath, a great Part of Mr. Bingley's Deposition, adding, That Neynoe, pursuant to his Instructions from the Minister who employ'd him, had propos'd to him to be Evidence against the Lord Orrery, and the Bishop of Rochester: But that having rejected his Proposal, he confess'd to him, and to Mr. Stewart, that all he had done was only to amuse the Ministers 'till he could get out of their Power; but that he had rather be torn to Pieces by wild Horses, than be an Evidence, and confirm by Oath, before a Court of Judi-

cature,

cature, what he had been oblig'd to say before the Lords of the Council; that being one Day in private with the Minister abovemention'd, he was struck with such Remorse and Indignation at the infamous Part he forc'd him to act, that he was upon the Point of seizing on a Sword that lay on the Table, and running him through, in order to put an End to the Conspiracy. And that this Deponent having ask'd *Neynoe*, Whether he knew any thing of a Plot? He answer'd, he knew of Two, one of Mr. *Walpole*'s against some great Men, the other of his own, which was only to get eighteen or twenty thousand Pounds from Mr. *Walpole*; and whatever became of the first, he doubted not, but he would have brought the other to bear, had he but once set Foot on the *French* Shore, and had not *Bingley*'s Blundering marr'd all. Moreover, Mr. *Skeene* endeavour'd wholly to destroy Capt. *Pancier*'s Deposition, by saying, that he never told him any thing, but what he had himself out of the publick News-Papers.

Mr. *Stewart* being also examin'd upon Oath, confirm'd what had been depos'd by Mr. *Bingley*, and Mr. *Skeene*, adding, That *Neynoe* had endeavour'd to engage him to turn Evidence against the Earl of *Orrery*; which he refus'd to do, having never spoke but once with his Lordship, to whom he was introduc'd by a Gentleman, upon Occasion of some Books which he was to get for him.

Most of these Particulars were confirm'd by *Corbet Kynaston*, Esq; who depos'd, that he had them from Mr. *Bingley*, Mr. *Skeene*, or Mr. *Stewart*, before Mr. *Neynoe* was drown'd: But little Stress was laid by the Majority of the House of Peers, on these Depositions, the three first Witnesses being known to have been deeply engag'd in the Pretender's Cause.

This being over, the Counsel for the Bishop labour'd to clear him from the most material Part of the Charge against him, *viz.* That he did dictate to Mr. *George Kelly*, the three Letters dated *April* 20, 1722, to General *Dillon*, the late Earl of *Marr*, and the Pretender; suggesting, that it could not be possible he should at that Time, dictate those Letters being disabled in his Chamber, and constantly attended by some of his Servants, who were examin'd, and depos'd, That no Stranger came near him about that Time, and for some Time before and after; and that they never knew of Mr. *Kelly*'s being the Bishop's Secretary, or being intimate with him, which,

had

had he been so, could not have escap'd their Knowledge. The Counsel for the Bishop read also an Affidavit from Mr. *Gordon*, Banker at *Boulogne*, importing, That he never receiv'd, nor forwarded any Packets from Mr. *George Kelly*, nor ever had any Dealings or Correspondence with him; and they likewise examin'd Witnesses; and among the rest, *Erasmus Lewis*, Esq; to prove how easily Hand-Writing may be counterfeited.

Then Sir *Constantine Phipps*, one of the Bishop's Counsel, spoke in his Defence, as follows:

My Lords,

BY the Appointment of this Honourable House, I have the Honour to attend your Lordships, as Counsel for the Reverend Prelate, the unfortunate Prisoner at the Bar; and persuade myself, it will not be difficult to defend his Lordship from the heavy Pains and Penalties of this Bill; since the Counsel for it confess, that it is supported only by circumstantial Evidence.

Bills passing into Laws for taking away Mens Liberties and Estates by Circumstances only, are new. Convictions by Circumstances, were never heard of in Ages past; and I hope, will never be known in this, or any which is to come: And though one of the Gentlemen said that circumstantial Evidence is sufficient at this Time of Day; I hope, the Law is the same at this Time of Day, as ever; and that the Lives and Fortunes of *English* Subjects will be as well protected and defended by your Lordships, as they were by your Predecessors.

The Securities which the Laws have provided for our Liberties and Estates, and the Happiness, that we cannot be deprived of them, but by full and legal Proof, are Advantages which were obtain'd at great Expence of Blood and Treasure, by your Lordships Noble Ancestors; and we doubt not but you will transmit them to Posterity, as entire, as they have been contin'd down to your Lordships.

The Law is the Rule of Mens Actions; and Persons accus'd as Criminals for Facts committed by them, ought to be try'd by the Laws that were in Force at the Time of the Facts committed, *secundum Allegata & Probata*. But Laws made *ex post facto*, to punish Men for Facts which were not Offences when they were committed, render

render all Things that are dear to Englishmen precarious; and for that Reason have been as often condemn'd, as they have been made.

The Charge against the Bishop and Mr. Kelly, are so interwoven; that I beg you will excuse me, if in my Vindication of him, I urge any thing, which I offer'd in Behalf of Mr. *Kelly*, when I had the Honour to attend your Lordships as his Counsel: But I shall take Care to repeat no more than is necessary.

I am very far from denying or cancelling the Power of Parliaments as to Bills of Attainder: But I hope, I may observe, that such a Power hath been very rarely exerted, unless upon extraordinary Occasions, and in Cases of Necessity: I hope too, I may be permitted to shew, that the Case of my Lord Bishop is not within either of those Reasons.

He never withdrew himself out of the Kingdom; never fled from Justice, but was always amenable and forth-coming, ready to be try'd according to the usual Methods of Justice. And the Attainders of *Mortimer*, and the Earl of *Arundel*, in *Edward* III's Time, of Sir *Thomas Haxey* in *Richard* II's Time, and others afterwards, were revers'd, because the Persons accus'd were forth-coming, and might have been brought to a Tryal according to the usual Course of Justice. Wherefore I hope, the same Reasons, which prevail'd with those Parliaments to reverse those Attainders, will have Weight enough with your Lordships to prevent this Bill's passing into a Law.

The Parliament, at the Restoration, did not think fit to interpose their legislative Authority, even in the Case of the Regicides; but left such of them, as were alive, and forth-coming, to the ordinary Methods of Justice, and gave them a fair Tryal for their Lives and Estates. The only remarkable Bill of Attainder, which hath been in some Ages (except of such as were in actual Rebellion, or fled from Justice) was that of Sir *John Fenwick*. I own, I mention'd this Case on Behalf of Mr. *Kelly*; and it being a Case so material for my Lord Bishop's Defence, I cannot in Justice to his Lordship, omit making some Observations upon it: From which it will appear, that the Reasons given for passing that Bill, are the strongest Arguments in the World against this.

The Preamble of Sir *John Fenwick*'s Attainder, shew'd the Necessity of it: For the Preamble sets forth, —— 'That

[illegible] Sir John Fenwick, [illegible] the Order of George Porter and Goodman, indicted of High Treason; that he obtain'd his Majesty's Favour to have his Tryal deferr'd from Time to Time, upon his repeated Promises of making an ingenuous and full Confession: That several Times were appointed for his Tryal; at one of which, he had been actually try'd, had it not been for his Disappointment of the Discoveries, so often promis'd: That since the Time appointed for his Tryal, Goodman, one of the Witnesses, was withdrawn, so that he could not be had to give Evidence. And it appear'd upon the Tryal, that Porter had been tampered with, and had 300 l. paid him, and 200 l. more promis'd him, to go beyond Sea.' This made the Prosecution more strong, that Goodman was sent away by some of Sir John's Friends. So that there was an Indictment against him, two Witnesses were sworn upon it, and prov'd the Treason; and he promis'd from Time to Time, to make Discoveries.

Hath my Lord Bishop been indicted? Hath there been any Oath made against him? Did he ever impose upon his Majesty, or the Ministry, by promising to make any Discovery? Hath he sent away one that was Witness against him? Since these Circumstances were thought necessary by the Parliament at that Time to induce them to pass that Act, and the present Case is not attended with any one of these Circumstances: This, we humbly conceive, is a Reason, why your Lordships should not pass this Bill.

The greater the Offence is of which any Person is accus'd, the plainer and clearer the Proof ought to be: And the Lord Coke, in his 4th Institute, Page 37, speaking of the Attainder of Cromwell, Earl of Essex, by Parliament, says, 'The more high and absolute the Jurisdiction of the Court is, the more just and honourable it ought to be in its Proceedings, to give Example of Justice to inferiour Courts.

The Offence charg'd on my Lord Bishop is of the highest Nature; and this Jurisdiction the most high and absolute; therefore the Proceedings, without Doubt, ought to be the most just and honourable.

The Punishment inflicted by this Bill, is the greatest that can be, next to Death itself: For what can be worse, than for a Reverend Prelate of such advanc'd Years, and of so infirm a Body, to be banished into another Country,

Country, and be forc'd to seek his Bread in distant Places.

The Punishment is still much severer to his Lordship, who hath sav'd nothing to support himself: For his eminent Hospitality, and his extensive Charity, tho' they have fitted and prepar'd him to live in another World, yet have disabled him from subsisting in another Country: There will be himself want that Charity, which he so liberally bestow'd upon others; and must beg upon his Crutches, or starve.

As to the Evidence offer'd against his Lordship, I humbly apprehend, the Proof would not be sufficient at Law to support an Indictment for the lowest Misdemeanour. And will your Lordships, in your great Wisdom and Justice, convict a Lord of Parliament, a Member of your own Body, and subject him to such severe Punishment, upon Evidence, that at Law, would not be sufficient to convict the meanest Subject of the most minute Trespass?

This, I humbly apprehend, will appear to be the Case, when the Charge against my Lord Bishop, and the Evidence to support it have been consider'd.

The Bill recites, That there was a detestable and horrid Conspiracy for invading his Majesty's Kingdoms with foreign Forces; for raising a Rebellion; for seizing the Tower, and City of *London*; and for laying violent Hands upon his Majesty's most Sacred Person, and upon his Royal Highness.

As to the seizing the Tower, and the City, and laying violent Hands on the King and Prince; neither of these Crimes is charg'd upon my Lord Bishop. But the Charge against his Lordship is, That he hath been deeply concern'd in forming, directing, and carrying on the wicked and detestable Conspiracy, by traiterously consulting and corresponding with divers Persons to raise an Insurrection within this Realm, and to procure foreign Forces to invade this Kingdom; and intending to raise a Rebellion at the Time of the Elections; and when the King went to *Hanover*; and at the breaking up of the Camp.

As to the 1st, *viz.* The sending for foreign Forces: The Bishop is not charg'd with being privy to any one of the three Memorials: For *Neynoe* says, he wrote them, and they were dictated to him by *Kelly* and *Watson*, whom he suppos'd to be the Earl *Marischal*.

As to the Charge of raising a Rebellion at the Time of the Elections, 'tis founded on a Letter, sign'd 1378, and directed to Mr. *Jackson*; which, the Report says, the Committee have good Reason to believe, was from the Bishop of *Rochester* to the Pretender.

The Letter says, 'Notwithstanding this Opportunity 'is elaps'd, I agree with you, another may offer before 'the End of the Year.' And the Observation made upon it is, That it was wrote the 20th of *April*, when most of the Elections were over; so consequently the Opportunity was elaps'd.

The Letter of the 10th of *April* is suppos'd to have been wrote to the Pretender at *Rome*; it supposes a Letter to the Pretender had been wrote, taking Notice that an Opportunity was elaps'd at the Elections; and that an Answer had been made to that Letter by the Pretender, that another may offer before the End of the Year; which must be at least two Months before the Date of the Letter; and that was before the Elections were begun.

As for raising a Rebellion, when the King went to *Hanover*; it is inferr'd from dark Passages in Letters of the 20th of *May*, 1722, *N. S.* 9th of *May*, *O. S.* and 10th of *May*, *O. S.* which are said to have pass'd betwen *Dillon*, or his Secretary, and *Kelly*. And by comparing those Passages, you will observe, what Foundation there is for such a Charge.

In the Letter of the 9th of *May*, *O. S.* 20th *N. S.* *Quitwell*, suppos'd to be *Dillon*'s Secretary, writes to *Baker*, suppos'd to be *Kelly*, 'That if this Post hath not 'brought an Addition of three to the Six, formerly come 'from *Repney*, it is easy for Mrs. *Jones* to see, what 'is still wanting for the Purchase she intends to make.

In the Letter of the 10th of *May*, *O. S.* *Harfield*, who is suppos'd to be *Kelly*, writes to *Howell*, who is suppos'd to be *Dillon*'s Secretary, 'That the King intends to set 'out early next Month; if they could then compass 'Barrels enough, the sooner the Wine comes, the better, 'Jones promises to be a good Customer.

From hence, and from what *Puncier* said *Sheene* told him, 'tis insinuated, that great foreign Forces were to be brought in for the Pretender; That great Sums of Money were contributed for that Purpose; and that those Sums were under the Management of the Bishop of *Rochester*; and all this, because *Quitwell* tells *Baker*, 'If the last Post did not bring an Addition of three to

'six, Mrs. *Jones* may see what is still wanting for the 'Purchase she intends to make.

Now, suppose, by *Quitwell* and *Howell*, are meant *Dillon's* Secretary; and by *Baker* and *Harfield*, *Kelly* is intended: And suppose, that by the Addition of three to six, is meant a Remittance of Money; by Wine, are meant Soldiers, and by Mrs. *Jones*, is meant my Lord Bishop of *Rochester*: Yet can what *Dillon's* Secretary writes to *Kelly*, or what *Kelly* writes to *Dillon's* Secretary, affect the Bishop of *Rochester*? If it can; it is in the Power of any two Men, one residing here, and the other, beyond Sea, to take away the Life of any Man breathing. But suppose, we can make it appear, as most certainly we shall, that by Mrs. *Jones*, cannot be meant the Bishop; then what becomes of this Part of the Charge?

The next Thing to support this Charge, is, a Passage in an Extract of a Letter, dated the First of *May*, written from *Quitwell* to *James Baker*; in which 'tis said, 'That Mrs. *Jones*, cannot take a better Time to have 'himself fitted with an easy Saddle, *&c.*' If an Extract of a Letter can be of any Weight, and the Construction put upon it is to be allow'd; then the Bishop is turn'd General, or at least a Colonel. For by *Neynoe's* Information and *Plunket's* Cypher, Saddlers and Saddles are *Irish* Soldiers and Regiments: So the Bishop is represented as undertaking to raise a Regiment of *Irish* Soldiers, and to mount on Horseback himself to command them.

As to the third Thing charg'd, which was to raise a Rebellion at the breaking up of the Camp, there is no Pretence of Evidence. So that, upon the whole, there does not appear to be any Pretence for that Part of the Preamble to the Bill, which charges the Bishop with having been deeply concern'd in forming, directing, and carrying on the Conspiracy.

The next Thing charg'd against his Lordship, is, that he was concern'd in a Correspondence abroad, and some Transactions at Home, for bringing in the Pretender.

Now, as to this, I would observe, that there is not one Witness against his Lordship of any criminal Act; that tho' all his Papers have been seiz'd, yet there appears not any Letter, or Paper, under his Hand, of a criminal Nature; nor any Letter prov'd to be written or receiv'd by him, which is criminal: Neither is there any Charge of any Meeting or Consultation with any Persons for carrying on this Conspiracy. Indeed he is mention'd as a Member of a Club, call'd the *Burford Club*,

Club, of which the Earl of *Orrery* was said to be Chairman; Which Club (as I apprehend) was never heard of 'till *Layer's* Tryal. This Accusation, I know to be false; and never met with any one that believ'd it: Therefore shall not trouble your Lordships with any farther Observations upon it, than just to take Notice, that tho' he who made the List, hath join'd me with Persons of great Quality and Honour; yet I presume to say, that my Profession in the Law, as well as my Religion, has given me such a Sense of my Duty, that no Persons whatsoever are great enough to draw me into a Plot against his Majesty and the Government.

I beg Leave to observe, that this Charge is founded partly upon the Hearsay of *Pancier* and *Neynoe*, and partly upon the three Letters, dated the 20th of *April*, 1722.

As to the Hearsay Evidence, *Pancier* deposes, that *Sheen* told him, that the Bishop of *Rochester* and Lord *North* and *Grey*, had the principal Direction of the Conspiracy, that 200,000 *l.* had been rais'd by Contribution, and was put into the Management of the Bishop; and that it was call'd the *Military Chest*. Now can this be Evidence in an Indictment, or Action, for the most minute Trespass, or in any Case? Can it be imagin'd, that so much Money could be rais'd among the Jacobites? Or that such a Sum could be rais'd, and not one Contributor discover'd? Can it be imagin'd that such a Sum should be entrusted with one Man? Or that my Lord Bishop would be that Man, who would have the Care and Trouble, and run the Hazard of such a Sum? To which it may be added, that *Sheen*, the only Person living, who, by any Person living, is said to have said this, is now in Custody, ready to be examin'd upon Oath, and denies every Word of it.

As to *Neynoe's* Examinations, he speaks only what *Kelly* told him; And can what *Kelly* told him, affect the Bishop? Besides, none of his Examinations are upon Oath, or so much as sign'd by him; (whereas the Examination of *Goodman*, that was given in Evidence against Sir *John Fenwick*, was upon Oath:) All of them appear to be taken after he was in Custody; under great Apprehension and Terrors; Nay, it appears that one of them was taken the Day before he drown'd himself: And moreover, that only one of them was read, which was extracted out of three Examinations, mark'd *A*, *B*, *C*, and said to contain the Substance. We desire all the three

three Examinations may be produc'd, and read; and then it will appear, whether that one contains the whole Substance, or whether there be not some Things very material omitted? And it will likewise appear, that there are such Inconsistencies in them, as will take off their Credit. For, in one Place, he says, he saw *Kelly* make Use of the Cyphers; and that *Kelly* own'd with great Freedom, they were for carrying on a Correspondence with the Pretender and his Agents; and yet in another Place, he says, that *Kelly* never open'd himself as to the Plot now on Foot; that indeed he had seen several Letters from *Paris*, and other Places, but they contain'd nothing material. So that it must be suppos'd, either that there was no treasonable Correspondence carry'd on by *Kelly*; or that *Neynoe* was not so great a Confident of *Kelly*'s as he pretended.

Neynoe says, he drew three Memorials; and the last was in *December*, 1721, to the Regent for five thousand Men; that all the Memorials were drawn by the Order of, and dictated by one *Henry Watson*, whom he did not know, but took to be the late Earl *Marischal*; that *Henry Watson* was in *England*, all last Spring, and that he lay with him several Nights.

'Tis very extraordinary that the Earl *Marischal* should trust a mere Stranger to draw three Memorials, and one of them for five thousand Men to invade the Kingdom; and that afterwards he should lie with him several Nights, and not know who he was.

In one of his Examinations he says, the Heads of the Memorials were given him by *Kelly* and *Watson*: In another he says, they were all drawn by *Watson*: And 'tis observable, that the rough Draught, or a Copy of any of them is not produc'd; which certainly, he, that intended to turn Evidence, and so soon after became an Informer, would have done, if there had been any such.

The Committee, in their Report, *Page* 38, are pleased to take Notice, that *Neynoe* said, *Kelly* told him, that a Lord of the Council gave the Bishop Notice of his being to be taken up, some Days before it happen'd; and are pleas'd likewise to say, that he afterwards confess'd, (as they were inform'd) and in that, and other his Examinations, he endeavour'd all he could to create Diffidence and Suspicions among his Majesty's Servants. And what Credit can be given, after this, to one, who had so little Regard to Truth, as to say any thing, tho' never

never so false, to so wicked a Purpose, as to create a Misunderstanding among his Majesty's Servants? Especially if one considers how probable it is, that the Remorse he had upon his Conscience, occasion'd by the Evidence he had given, and his Dread or the Shame of being forc'd, when he came upon his Oath, to deny what he had said when he was not upon his Oath, were the Reasons of his making away with himself? And we shall call some Witnesses, who will give a full Account of him.

We shall call one, who but lately depos'd before your Lordships, that *Neynoe* told him, he had said several Things to a Great Man, which he neither would nor could swear without being perjur'd. I beg your Lordships Pardon for being so particular in a Matter, which I had so lately an Occasion to mention: But this is the Hinge, upon which the Weight of the whole Charge against the Bishop turns.

The next Charge against my Lord Bishop, ariseth from three Letters, dated the 20th of *April*, 1722. One sign'd *J. Jones*, *innuendo* the Bishop; to *Chivers*, *innuendo Dillon*: The second sign'd *Illingsby*, *innuendo* the Bishop; to *Musgrave*, *innuendo* Lord *Marr*: The third to *Jackson*, *innuendo* the Pretender: and sign'd 1378, *innuendo* the Bishop. These Letters are said to be wrote by *Kelly*, and dictated by the Bishop.

Now, as to these Letters, I beg Leave to observe, there is nothing criminal appears to be in any one of them: But then 'tis objected, that two of the Persons are attainted of Treason, and are Agents of the Pretender; and 'tis High Treason to write to them: And the third is the Pretender himself. Supposing *Chivers* were *Dillon*, and *Musgrave* were *Marr*, yet writing to them in private Matters, not criminal in themselves, nor relating to the Pretender, is not Treason. But how comes the Lord *Marr* to be an Agent for the Pretender? He quitted the Pretender's Service many Years before; and from the Time of quitting his Service, 'till after the Date of those Letters, had a Pension from his present Majesty. I believe, the Counsel for the Bill, and all Mankind, will be at a Loss to tell, by what Law writing to one who hath quitted the Pretender's Service so many Years, and who hath subsisted ever since by a Pension from his Majesty, can be an Offence?

Indeed, If it be prov'd that *Jackson* is the Pretender; I admit, writing to him is Treason: But if it be prov'd

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(as it will beyond all Dispute) that by *Jackson*, neither is, nor can be meant the Pretender; and that my Lord Bishop neither did, nor could write or dictate any one of those Letters; then the whole Charge against my Lord Bishop, founded upon those Letters, falls to the Ground.

The next Thing I observe, as to those Letters, is from the Report, *Page* 42, where the Committee are pleas'd to observe, that the Letter to *Chivers*, is, great Part of it, out of Cypher; which seems to allow, that the other Part was in Cypher. Therefore it was very necessary, I think, to have printed the Letters in the Cyphers and Characters in which they were written; and also as they are decypher'd: Then the Persons accus'd would have had an Opportunity of employing Men skill'd that Way, to see if they were rightly decypher'd: This was done in *Coleman's* Case.

The *French* Papers, in the Appendix, are printed first in that Language, and then as they are translated; which was not so necessary as printing the Letters in Cypher in this Case: Because almost every one understands *French* enough to tell, at first Sight, whether a *French* Letter be rightly translated; but 'tis impossible for a Man of the greatest Skill in the Art of decyphering, to tell upon a sudden at the Bar, whether a Letter be rightly decypher'd: So that all a Man hath in the World is to depend upon the Skill and Integrity of the Decypherers: Nor are they infallible; for the Witnesses who decypher'd the Letters, admit, that there are some Words in them which they could not decypher; and those Words may give a Turn to the whole Sense of the Letters. Nay Mr. *Wills* said, that one of the Numbers he could not decypher, stood for two Words: He was likewise pleas'd to say, it was impossible that the Number he could not decypher, could make an Alteration in the Sense; which is very extraordinary for a Man to swear: But if one Word could not make an Alteration in the Sense, surely two might.

The writing these Letters is charg'd upon *Kelly*; which cannot affect my Lord Bishop, unless they were dictated by him, or written by his Direction, or Privity; of which there is no Pretence of Proof. And therefore I shall offer to your Lordships some Observations upon the Arguments and Circumstances alledg'd to support this Charge.

It is observ'd in the Report, that the Person who wrote these Letters, speaks of himself as being in ill Health, in great Pain, under some sad and melancholy Circumstances, which he expects will soon blow over; and from thence it is inferr'd, it must be the Bishop, because his Wife was then ill, and dy'd in six Days after; and that he himself was at that Time afflicted with the Gout: One of the Counsel for the Bill said, these were Circumstances that did not happen to any two Men in the World at that Time: And give me Leave to instance one other Circumstance, which, I believe, did not happen to any one Man in the World; which is, Writing a Letter of Politicks, when his Wife lay a dying.

Why these Circumstances must necessarily intend the Bishop more than any other Person that was sick, and under Misfortunes, I cannot apprehend. That ill Health must necessarily imply the Gout; and that it must be intended, that no Man had the Gout the 20th of *April*, but the Bishop; that melancholy Circumstances necessarily imply a Man's Wife being sick or dying; and that no man had a Wife sick or dying, but the Bishop, is, in my humble Apprehension, a new Way of arguing.

Another Way of proving these Letters to be wrote by the Bishop, is, by the Names and Figures subscrib'd. For one Letter is subscrib'd, *T. Jones*, and another Letter is subscrib'd, *T. Illington*: And the Report observes, that wherever *Jones* and *Illington* are nam'd, the Bishop is to be understood. But why the Bishop is to be understood by those Names, *non constat.* (doth not appear.) Nor is there any Pretence of Evidence: And if we shew (as we infallibly shall) that by those Names the Bishop could not be meant, and that he could not write or dictate those Letters; then the Inferences against the Bishop, from those Letters, and from the subsequent Correspondence under those Names, become of no Force.

A third Letter is subscrib'd, 1378; which the Decypherers say, denotes a Person, whose proper Name begins with an *R*. And the Report is pleas'd to infer, that it must be the Bishop of *Rochester*. Now, why 1378 denotes a Person whose Name begins with an *R*, the Decypherers only know: And we are as much at a Loss to know why by a Name beginning with *R*, must be intended the Bishop of *Rochester*. If that Number appear'd

appear'd to denote a Name beginning with *R*, and if no Name began with that Letter, but the Bishop of *Rochester*'s; there would then, I confess, be some Weight in the Observation.

That *Jones* and *Illington* are not the same Person, appears from the Letter of the 10th of *May*, from *Hatfield* or *Howell*; where, within the Compass of two Lines, they are distinguish'd. For in one Line, he saith, *Jones* promiseth to be a good Customer; and in the next Line but one, he saith, *Illington* is gone into the Country; which plainly shews them to be distinct Persons. Besides, in the Papers mention'd concerning the Duke of *Norfolk*, his Grace is several Times denoted by the Name of *Jones*: In *Layer*'s List, Sir *William Ellis* is describ'd by that Name; and in *Plunket*'s List, *Jones* stands for the *Germans*.

The Evidence to prove *Jones* and *Illington* to denote the Bishop, and the Intimacy between the Bishop and *Kelly*, is the Present of a Dog, call'd *Harlequin*.

The Evidence stands thus, ——— *Rep.* 40, *E.* 35. *Hatfield*, who is suppos'd to be *Kelly*, in his Letter of the 30th of *April* to *Howell*, who is suppos'd to be *Dillon*'s Secretary, writes thus. 'Mrs. *Jones* dy'd last Week; 'pray present my Respects to Mr. *Musgrave* (meaning *Marr*) and let him know, I receiv'd the Present, sent by the young Lady; that he had a Leg 'broken in the Journey: However, I will take all the 'Care imaginable of him, and inform Mr. *Jones* of it, 'to whom I know any thing from that Quarter will 'be very acceptable.

Hatfield, in his Letter to *Musgrave* of the 7th of *May*, 1722, says 'Mrs. *Illington* is in great Tribulation for poor *Harlequin*: However, his Obligations to the Lady, are as great as if he had come safe.

From these Letters, 'tis inferr'd, that by *Jones* and *Illington*, the Bishop is meant; and that a young Lady sent the Dog to *Kelly*, as a Present for the Bishop: And 'tis urg'd, that Mrs. *Barnes*, in her Examination of the 23d of *May*, says, the Dog was not design'd for her, but for the Bishop of *Rochester*; that *Kelly* told her, the Dog was for the Bishop; and that *Kelly* promis'd to get the Dog for her, from the Bishop, in Case it did not recover its Lameness.

It is admitted, that Mr. *Kelly* brought such a Dog from *France*; that Mrs. *Barnes* had it; and that its Leg

was broken: But that it was design'd for the Bishop, or that the Bishop ever had, or saw it, there is no Pretence of Proof; and my Lord Bishop utterly denies it; and Mr. *Kelly* hath solemnly deny'd it to your Lordships; and instead of its being a Present from a young Lady to the Bishop, Mr. *Kelly* says, he bought it of a Surgeon at *Paris*, to give it to Mrs. *Barnes*.

There is one Expression in the Letter of the 7th of *May*, which is remarkable, and in my Opinion, enervates and destroys the Force of all those Letters relating to the Dog; for it was written four or five Days after the Bishop's Lady was bury'd; and it says, 'Mrs. *Hlington* is in great Tribulation for poor *Harlequin*.' Mr. *Kelly* was suppos'd to write that Letter, and was suppos'd to be a Friend of the Bishop's; and could a Friend, could any Man of common Sense, be guilty of such a foolish and ridiculous Expression? Could any Man say of one of my Lord Bishop's Character, who was in the utmost Affliction for his Lady, that he was in great Tribulation for the breaking of a Dog's Leg? 'Tis evident, he who wrote that Letter, did not know the Bishop's melancholy Circumstances: 'Tis likewise well known, that the Bishop never lov'd a Dog, nor ever had one.

The next Method of proving Letters upon the Bishop, is by Similitude, and by Comparison of Hands; not by comparing any Paper written by him, with any other Writing; but by producing a Letter suppos'd to be written by Mr. *Kelly* in *August*, and by proving that the three Letters written in *April*, were open'd, and copy'd, and sent forward; and that those Letters were of the same Hand with that produc'd.

It was to be hop'd, that since Mr. *Sidney*'s Case, the Evidence by Similitude of Hands in criminal Prosecutions would never have been offer'd: He was convicted upon such Evidence, and for that Reason his Attainder was revers'd in Parliament; and therefore, I hope, your Lordships will not in your Legislative Capacity, admit that to be Evidence in this Case, which, in the same Capacity, you were pleas'd to condemn in Mr. *Sidney*'s.

In 1695, *Crosby* was indicted for writing treasonable Letters; and the Evidence, Similitude of Hands; which Evidence was disallow'd by the Chief Justice *Holt*, and *Crosby* was acquitted.

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In *Francis's* Case, my Lord Chief Baron *Bury* declar'd, Similitude of Hands to be no Evidence: And if it was not admitted in those Cases, where Papers were produc'd, and prov'd to be of their own Hand-writing, and the Papers with which they were charg'd, were produc'd and compar'd with those other Papers; we presume, your Lordships will not allow it in this Case, where it is carry'd farther than ever it was attempted before.

The Proof, as to this Point, stands thus —— Three Clerks of the Post-Office swear, that the 20th of *April*, 1720, these three Letters were open'd; that they took Copies of them, and seal'd them up again, and sent them forward; that four Months after, another Letter came to the Office, which is stopp'd: That is produc'd; and they all swear, they believe the three Letters were the same Hand-writing with the Letter produc'd. Now, that a Man who never saw a Hand but once, and thro' whose Hands so many Letters pass in a Month, should be able to swear, that three Letters which were sent in *April*, 1720, were of the same Hand-writing with a Letter which was stopp'd four Months after, is strange and incredible.

I beg Leave farther to observe, that the Clerks of the Post-Office own, they did not compare the Copies of the three Letters with the Originals: And was ever a Copy allow'd to be read, unless the Person who produc'd it, swore that he compar'd it with the Original, and that it was a true Copy?

It is remarkable, that *Clark*, one of the Post-Office, said, it was impossible to write a Hand, that had any Resemblance to those Letters; but yet, he said, the Figures bore a Similitude to the Hand-writing: So that one Hand cannot be like another; but Figures may be like a Hand-writing.

It is also observable, that the Letter produc'd is prov'd to be *Kelly's* Hand-writing, only by *Hutchins*, the Messenger; who says, he had him in his Custody a Week, and saw him write several Letters: And by *Malone*; who proves Mr. *Kelly's* Hand by a Superscription in *French*, and yet owns he cannot read *French*: Whereas, we shall prove by three positive Witnesses, that this is not his Hand: Besides, they might have produc'd the Letter which he wrote to my Lord *Townshend*, which is admitted to be his Hand.

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We shall likewise prove, that at the Time when the three Letters are said to be written, the Bishop was at *Bromley*, and so lame with the Gout, that he could not stir Hand or Foot; that his Lady was dying; that no Person was admitted to him, but two or three Servants; and that Mr. *Kelly* was not at *Bromley* at that Time, nor for three or four Months before or after. And therefore 'tis impossible, those Letters should be written or dictated by the Bishop.

The Evidence of *Wood*, the Coachman, confirms this. For he swore, that he never saw Mr. *Kelly*, 'till he was carry'd to see him in the Tower; and that *Kelly* was not at *Bromley*; that no Stranger was at *Bromley* from the 12th of *April*, 'till after the 26th, when the Bishop's Lady dy'd; and that he must have known it, if there had; that the Bishop never sent the Coach for *Kelly*, or any other Person in *Bury-street*, or any Place near *Pall-Mall*: So that by this, the Examinations of *Elizabeth Levet* and *Neynoe*, are quite destroy'd.

But 'tis objected, that a Man might put his Horse at an Inn, and come to see the Bishop, and *Wood* not know it. Can it be imagin'd, that *Kelly*, who is suppos'd to be so particular a Friend of the Bishop's, would leave his Horse at an Inn? But we shall examine other Witnesses to this.

It was objected, that on the 10th of *June*, the Bells rang; and the Servants had Roses. But it appears, most of them were red Roses: And if it should be criminal to ring the Bells on the 10th of *June*, we shall shew, that the Bishop knew nothing of the ringing of the Bells, or of the Roses.

In the Report, *Page* 50, the Committee of the Commons take Notice, That on the 11th of *June*, *Kelly* sends his Friends at *Paris* an Account of his late Misfortunes; and after complaining of the Neglect in not bailing him out sooner, says, ' Your old Friend *Rig*, ' indeed, offer'd all that could be expected from the poor ' Man.' And infer, ' That by *Rig*, is meant the Bishop ' of *Rochester*.

Can it be imagin'd, that *Kelly* would call the Bishop *Gerrard's* old Friend, who, 'tis not pretended, ever knew him, or saw him? And if *poor Man* be taken by Way of Contempt, Can it be imagin'd, that Mr. *Kelly*, a Gentleman of that good Sense, and Breeding, would use such an Expression of my Lord Bishop? If these Words are taken in the literal Sense, 'tis as improbable; for

for the Bishop was not taken for a poor Man: Besides, how could he who had 200,000 *l.* Contribution Money, and had the Command of the *Military Chest*, be said to be poor? And I dare say, there is nobody but believes, that if my Lord Bishop would have intermeddled on Mr. *Kelly*'s Behalf, he had Interest enough to procure whatever Bail *Kelly* wanted: And therefore I apprehend, that *Rig* cannot be intended to be the Bishop.

Indeed, no Credit can be given to Cant Names; for the same Names are us'd for several Persons; as *Laws* in *Plunket*'s Cypher, stands for *Marr*; and in the Cypher found on *Dennis Kelly*, it signifies Mr. *Cæsar*. *Hawksby* in *Plunket*'s Cypher, stands for King *George*: And in the Report, *Page* 62, there are Complements from the Pretender and his Spouse, to *Hawksby*; which I presume, they did not mean for his Majesty. *Jones* is us'd many Times for the Duke of *Norfolk*. It is us'd for Sir *William Ellis*; and it is also us'd for the *Germans*, as I before observ'd.

That *Jackson* cannot mean the Pretender, is plain. *App. E.* 30. Postscript in the Letter from *Quitwell* to *Vernon*, says, 'Mr. *Chivers* advises, that the Money 'you mention, in *Clinton*'s Hands, should be equally 'divided between *Medley* (meaning the late Duke of *Or*-'*mond*) and *Jackson*, (meaning the Pretender.) Now, would any one devoted to the Pretender's Interest, put *Ormond* before the Pretender? *Jackson* is put for the Pretender only, in *Plunket*'s List: And yet 'tis observable, that *Plunket*, in all his Correspondence, never calls him *Jackson*, but *Joseph*, or *Jephson*: And in the voluminous Correspondence charg'd on *Kelly*, he is not once call'd *Jackson*; but the usual Names are *Jephson* and *Joseph*.

As for the Letter to *Dubois*, it seem'd at first to be a Letter written from *France* TO the Bishop, by the Name of *Dubois*; and after a Month's Time, they find it to be a Letter written BY the Bishop. If so, writing a Letter, and not sending it, can be no Offence. But how comes the Bishop to keep that Letter seal'd, which he had written seven Months before? The Writer of that Letter owns, he had receiv'd one from *Dubois* two Months before, by Mr. *Johnson*; which was the Name *Kelly* went by: And 'tis very strange, that the Bishop should be so weak, as to mention the Name of the very Person, who 'tis said, used to write his Letters, and

and by whom he was suppos'd to carry on his Correspondence. If it be presum'd that he wrote this Letter; it must also be presum'd, he was out of his Senses, when he did it.

That Letter was not sign'd, and was dated the 16th of *December*, but no Year, tho' they have put the Year 1721 to it. For a Month together they never thought the Letter to *Dubois* to be the Bishop's Hand; though they had several of his Letters. As to the Observation made by one of the Counsel, that the Letter to *Dubois* was seal'd by a particular Seal, and not the Seal with which he seal'd such Letters, as he intended all the World should see; that Gentleman would do well to let us know what Letters were written by the Bishop, which he intended all the World should see.

That so many Letters were written before 1712, and so few since, was occasion'd by his Lordships great Correspondence about Matters of Learning at that Time, and his being from that Time often afflicted with the Gout, so that he could not write many Letters, and consequently receiv'd but few. Besides, he was made Bishop in 1713, and Dean of *Westminster*: So had not Time to write much himself, but kept a Secretary.

As the Matters before mention'd to be charg'd against my Lord Bishop, arose from Letters suppos'd to be written by him; I shall next consider the Charge against him, which arises from Letters suppos'd to be written to him. There are two Letters mention'd in the Report as written to him; one of the 11th, by *Motfield*, interpreted to be Lord *Marr*, wrote to *Illington*; the other, of the 25th of *July*, from *Digby*, interpreted *Dillon*, to Mrs. *Weston*. Now, I observe, that it is not pretended, that either of those Letters was ever receiv'd by the Bishop, so consequently must be intercepted: Therefore it would have been proper to have produc'd the Letters, and to have prov'd the Hands. As to the Letter from *Motfield*, 'tis only a Complement of Condolence: And 'tis infer'd, that it must be the Bishop; because his Lady dy'd a little before. The Letter says, 'We must submit with Resignation, to what 'the just and great God thinks fit to order; but you 'know such Things so much better than I do; that I 'will not trouble you with saying any more upon it.' From these last Words, it is infer'd that this Letter

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was written to a Clergyman, and consequently the Bishop. What Weight this Way of reasoning will have with your Lordships in criminal Prosecutions, is humbly submitted: But it must be observ'd, that this Letter is said to be an Answer to the Letter said to be written the 20th of *April*, to *Musgrave*. And as we have shew'd, that it was impossible the Bishop should write or dictate either of the Letters of the 20th of *April*, the Answer must fall with the Letter. But from hence the Observation is natural, and undeniably true; that if *Jones*, who wrote the Letter to *Musgrave*, of the 20th of *April*, could not be the Bishop; and *Illington*, to whom *Motfield* wrote, be the same as *Jones*; then neither *Jones* nor *Illington* can denote the Bishop.

As to the Letter from *Digby* to Mrs. *Weston*, who is interpreted the Bishop; it was written the 25th of *July*, N. S. wherein *Digby* says, 'I cannot on any reasonable Grounds complain of your Silence, because I am inform'd of the Situation of your Health, and the Concern your Family are in by Bankrupts, and Law-Suits.' It must be observ'd, that on the 7th of *July*, O. S. *G. W.* in his Letter to *Digby*, says, 'I saw Mrs. *Weston* yesterday; she never was better in her Life than now.' It is strange, that *Digby*, the Week following, should take Notice of the ill Situation of Mrs. *Weston*'s Health; 'tis plain both these Letters can't be genuine, and therefore no Credit can be given to such a Correspondence.

One Way of fixing the intercepted Correspondence, and the cant Names upon the Bishop, is by the Coincidence of Times, and other Circumstances; as of his Lordship being in Town, and out of Town: And there are several Mistakes in them. For in *Hatfield*'s Letter to *Musgrave* of the 7th of *May*, he says, Mr. *Jones* is come to Town only for a Day: If that be to be understood of the Bishop, it is not true; for he came to Town the 5th of *May*, and did not go out of Town 'till the 10th. In the Letter from *I. H.* to *Dixwell*, of the 18th of *June*, 'tis said, 'Mr. *H. Rig.* and *Rep*, are, I hear, in the Country.' And 'tis said, by *Rig*, is meant the Bishop; which cannot be, for the Bishop was then in Town. So in a Letter to *Maisonneuve*, of *July* 19, 'tis said, '*Rig* is in the Country.' Whereas the Bishop was then in Town. This is the more observable, because the Report taking Notice of the Bishop's being ill of the Gout, says, *Page* 41, 'This Particularity, as also seve-

'ral others, which will be taken Notice of as to the 'Bishop's being in Town, or in the Country, at the re'spective Times mention'd in the intercepted Letters, 'have been carefully enquir'd into.' And in the next Paragraph, the Report taking Notice of the Letter to *Musgrave* of the 7th of *May*, which says, Mrs. *Jones* is come to Town, says, *This agrees with the Enquiry.* And yet it will plainly appear, that there are such Mistakes, as to those Times, as I have before-mention'd. I hope, I may observe, that these Mistakes escap'd the Observation of the Honourable Committee, and that tho' the Letter of the 7th of *May*, in the Appendix, says, 'Mrs. '*Jones* is come to Town only for a Day.' Yet in the Report, the Words, *only for a Day*, are left out.

All the Circumstances before-mention'd are made Use of to fix the Names of *Jones* and *Illington* upon my Lord Bishop; and therefore the next Paragraph but one in the Report, is very observable; which is this. 'These 'several Circumstances, join'd to *Neynoe's* Declaration, 'that *Kelly* had told him, the Bishop went sometimes by 'the Name of *Jones*, and that *Carte* had told him, the 'Bishop went by the Name of *Illington*, shew, that where'ever *Jones* and *Illington*, are nam'd in *Kelly's* Correspon'dence, the Bishop of *Rochester* is to be understood by 'those Names.' So that the whole Proof of the Correspondence charg'd to be carry'd on by my Lord Bishop under the Names of *Jones* and *Illington*, is resolv'd into this, that *Neynoe* declar'd, that *Kelly* and *Carte* told him, the Bishop went by those Names.

I beseech your Lordships, Is this Proof? Is this Evidence sufficient to deprive a Reverend Prelate of all his Ecclesiastical Preferments? And to send him into perpetual Banishment? Do the Lives and Liberties of *Englishmen* stand upon so weak a Foundation? If they do, I presume to say, they are very precarious, and the most innocent Man alive cannot say he is safe.

I beg your Lordships Indulgence to observe farther, that this heavy Charge against my Lord Bishop, is supported only by *Innuendo's*: And with what an Eye *Innuendo's* have been always look'd upon in criminal Cases, many Instances may be given. I shall trouble your Lordships but with one, which is full to this Purpose, and of the greatest Authority: I mean the Resolution of your Lordships in the Case of Sir *Samuel Barnardiston*, in 1683. He was prosecuted for writing Letters, alledg'd to be seditious, and highly reflecting on the Government, and

and the publick Justice of the Nation; and was found guilty, and fin'd 10,000*l.* He brought a Writ of Error in this most Honourable House, and your Lordships were pleas'd to reverse that Judgment; for that the Information being grounded on Letters, which in themselves were not criminal, but made so by *Innuendo's*; your Lordships were pleas'd to declare, that *Innuendo's* and forc'd Constructions ought not to be allow'd; for all Accusations should be plain, and the Crimes ascertain'd. Now if it can be suppos'd, without any Evidence, that my Lord Bishop wrote the Letters charg'd to be written by him; even then this Case is the same with Sir *Samuel Barnardiston's*. For the Letters are not criminal in themselves, nor can be made so, but by *Innuendo's*, and strain'd, forc'd Constructions. Nay, I presume to say, there is not one Part of the Charge but subsists purely by *Innuendo's* and strain'd Constructions.

I will trouble your Lordships with instancing only one Letter; which is that of the 20th of *April*, written to Mr. *Jackson*, and subscrib'd 1378. With the *Innuendo's*, it is thus. 1378, *Innuendo* a Person whose proper Name begins with an *R*, *Innuendo* the Bishop of *Rochester*, did write to Mr. *Jackson*, *Innuendo* the Pretender; that notwithstanding this Opportunity, *Innuendo* an Opportunity of raising a Rebellion in *England*, at the Time of Elections of Members of Parliament, had elaps'd; I, *Innuendo* the Bishop, agree with you, *Innuendo* the Pretender, that another, *Innuendo* another Opportunity of raising a Rebellion in *England*, may offer before the End of the Year, *innuendo* at the breaking up of the Camp. Your Lordships will please to observe, what a Superfetation of *Innuendo's* (if I may so say) there must be to support this Charge! And without *Innuendo's*, no Part of the Charge against the Bishop, can be maintain'd: And therefore, I hope that the same Reasons which induc'd your Lordships to reverse the Judgment against Sir *Samuel Barnardiston*, will prevail upon you to reject this Bill.

To what I have objected, I imagine, it will be answer'd, that your Lordships are now acting in your legislative Capacity, and that in your legislative Capacity, you are not bound by the Forms of Law; but I humbly submit it, whether you will not think fit to proceed according to the Rules of Law, tho' not according to the Forms of it. Mens Lives and Properties, are to be try'd and determin'd *secundum Allegata & Probata*;

and the Proof in such Cases, must be legal Proof. And I apprehend, with great Deference, that when your Lordships proceed in your legislative Capacity in other Instances, you proceed according to the Rules of Law: As in Bills for enabling Persons to sell or settle Estates; or for making Rivers navigable, if the Title or Property of any Person come in Question, your Lordships are pleas'd to hold the Parties to strict legal Proof: And why not in Bills of Attainder? Are Bills of Attainder (whereby Mens Lives are forfeited, their Estates confiscated, and their Blood corrupted) of less Moment than Bills to enable Persons to settle their Estates for the Benefit of their Families? I apprehend, that your legislative and judicial Capacities are here so united, that they cannot be separated. For a Bill of Attainder is a Condemnation by Parliament; and your Lordships always hear and judge, whether a Party be guilty, before you condemn him. Will you then be pleas'd to judge and determine, upon less Proof in one Case than in another? Can it be conceiv'd, that your Lordships will not act by the same Rule in both your Capacities? Or that you will not have an equal Tenderness and Regard for the Lives, Liberties, and Estates of the Subject, in one Capacity, as in the other?

When a Man flies from Justice, he gives Judgment against himself; and when a Person accus'd, doth by corrupt or indirect Means, conceal or convey away the Witnesses against him; then he is the Cause, why strict and legal Proof cannot be had: And that it may be a Reason why less Proof should be admitted. But in Cases not attended with either of these Circumstances, to say, that less than legal Proof is sufficient for a Bill of Attainder, is to affirm, that private Opinion alone, without Proof, is a sufficient Foundation to pass a Bill of Attainder. And how harshly that would sound in the Ears of *Englishmen*, is humbly submitted to your Lordships.

My Lords, by our Law, a Judge cannot go according to his own private Opinion, but must be govern'd by the Evidence given before him in Court. For the Rule is, *Nil refert quod notum sit Judici, si non notum sit in forma judicii.* (*i. e.* What's known to the Judge is of no Weight, unless it appears in the Course of the Trial.) And if Mens Rights and Liberties were to be determin'd by private Opinion, how precarious would the Lives and Estates of *Englishmen* be? The most innocent Man could not be safe; The wisest Man could not foresee

where

where it would end; and *England* must no longer boast of the Excellency of her Constitution.

It is a Rule, both in Law and Reason, that *nemo bis puniri debet pro eodem delicto*: No Man ought to be punish'd twice for the same Offence: And yet that may happen to be the Bishop's Case. For the Charge in the Bill is general; intending to raise a Rebellion, and holding treasonable Correspondence, in order to bring in foreign Forces; but there is no particular Fact charg'd upon him. Now if he should be indicted for either of those Species of Treason, and particular Overt-Acts of such Treason should be alledg'd, as buying Arms, and listing Men for the Pretender, and the Overt-Acts should be prov'd by two Witnesses, he might be condemn'd, and executed for it. For he could not plead this Bill in Bar to such Indictment; because the Indictment would not be for the same Facts, there being no particular ones charg'd in the Bill. And yet it may happen, that my Lord Bishop may be indicted and try'd for the Treason mention'd in this Bill: As in the Case of *Hampden* and *Fitzharris*, which I lately mention'd. For Mr. *Hampden* was try'd for meeting and consulting to raise a Rebellion, was fin'd 40,000 *l.* and was afterwards try'd for High Treason for the same Fact: And tho' he insisted on his having been try'd for the same Fact, and desir'd to plead it, yet the Court would not allow it. And in *Fitzharris's* Case, he was indicted for High Treason, and pleaded an Impeachment; and averr'd, it was for the same Fact: But the Plea was over-rul'd; for there being no particular Article, the Averment could not be supported, because he could not averr any thing that was out of Record.

I hope, your Lordships will excuse me for taking up so much of your Time. But the Multifariousness of the Matters of which the Accusation consists, and the Weight of the Subject, drew into it. I humbly thank your Lordships for your great Indulgence and Patience in hearing me: And if, as a Lawyer, thro' my Zeal for my Client's Service, or as an *Englishman*, asserting those Laws, which I apprehend, are the Security of *British* Liberties, I have let drop any Expression, which may be thought improper, I must humbly beg your Lordships Pardon. And if there be a Difference between your legislative and judicial Capacity, I submit it, whether your Lordships will be pleas'd to give that Judgment in your legislative Capacity, which the

Counsel

Counsel for the Bill do, in my Apprehension, admit you could not give in your Judicial. And therefore I hope, your Lordships will be pleas'd to reject this Bill.

The Bishop being the next Morning (Friday *May* 10) brought again the Bar of the Lords House, his Counsel endeavour'd to take off the Weight of the Testimony and Judgment of Mr. *R*——— an Engraver, who having been produc'd and examin'd by the Counsel for the Bill, had sworn to the Similitude of the Seal of a Letter found among the Bishop's Papers, with the Seals of some of the intercepted Letters: In Opposition to which, Mr. *Johnson*, and some other eminent Engravers, gave their Opinions upon Oath, that a Seal may as easily be counterfeited as Writing, or which is the same, that a Seal engrav'd from the Impression of another Seal, may be so perfect, as to render it impossible to distinguish the the Impression of the Original from that of the Counterfeit: An Experiment of which was made by a Lord, who produc'd Impressions of two different Seals, so exactly like one another, that one of the Engravers was deceiv'd by them, and judg'd them to be of one and the same Seal. This Affair occasion'd great Altercations between the Counsel on both Sides, and warm Debates afterwards in the House, 'till Four a-Clock in the Afternoon, when the Lords having adjourn'd during Pleasure, the Courtiers refresh'd themselves in the Prince's Chamber, and the others in the adjacent Coffee-houses.

The House being resum'd, the Bishop of *Rochester* examin'd Witnesses to falsify the Deposition of *John Lawson*, Baker, at *Bromley*, (inserted in the Appendix to the Report of the House of Commons) who, very critically swore to all the Days and Times the Bishop went to and from *London* and *Bromley*, from the 1st of *April* to the 20th of *August*, 1722: And further depos'd, that he was told by *James Day* and *Thomas Farnden*, two Servants of the Bishop, that he had a Fit of the Gout, which lasted all or most Part of the Time between his going to *Bromley*, next before his Lady's Death, and his coming to Town after she was bury'd; and that the said *Thomas Farnden* also told him, that among those who frequented the said Bishop at *Bromley* last Summer, were the Lord *North* and *Grey*, who came very often, the Lord *Bathurst*, Sir *Constantine Phipps*, Mr. *Aldridge*, a

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Clergyman, and Mr. *Wynne*, a Counsellor at Law. Among the rest, the Helper to *William Wood*, the Bishop's late Coachman, depos'd, that he had been kept in close Custody for above two Months, he knew not for what. ——— Being ask'd, if ever he saw Mr. *Kelly* alias *Johnson* at the Bishop's House in Town or at *Bromley*, he answer'd in the Negative; adding, that if he had been there, he could not have miss'd seeing or hearing of him, because he was always about the House and Stables, and as he convers'd with all the other Servants, so he knew of all the Comers and Goers: And that when he was at *Bromley*, one *Larson*, a Baker, came to him, and offer'd him a Reward of two hundred Pounds, (one Half in Hand) if he would turn Evidence against the Bishop, and swear, that Mr. *Kelly*, Lord *North* and *Grey*, and some other Lords and Gentlemen, whom he should name to him, often came to the Bishop's House at *Bromley*; which Proposal he rejected with Scorn. This was partly confirm'd by two or three more of the Bishop's Servants, and other Witnesses, whose Examinations having lasted 'till Nine of the Clock in the Evening, the Lords adjourn'd to the next Day.

On Saturday the 11th of *May*, the Bishop being again brought to the Bar of their Lordships House, Sir *Constantine Phipps* made a short Recapitulation of the Evidence for his Client, as follows:

My Lords,

WE have done with our Evidence, and hope we have fully answer'd every Part of the Charge contain'd in the Bill, and apprehend, there is no one Circumstance left unanswer'd. Particularly, that we have totally destroy'd the Credit of *Neynoe*'s Hearsay Evidence: For when the Improbabilities, Inconsistencies, and Contradictions of his Examinations are consider'd, and the Testimony of the Witnesses is duly weigh'd; no Person can give the least Credit to what he hath said, without offering the greatest Violence imaginable to his Reason.

And it is wonderful, that the Counsel for the Bill should insist he should be credited in any thing; when we have prov'd, he had the Confidence to declare, that a Right Honourable Person had endeavour'd to persuade him to accuse Persons of Quality of Things he knew nothing of.

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Hath he not said, that when he was to be examin'd, *That Right Honourable Person* had him first in private, and told him, what Questions would be ask'd him, and what Answers he should give? Did he not say, that the very same Gentleman gave him five Questions, or Enquiries, and told him what he should reply to each of them? Hath he not said, that refusing to give Evidence, he was threaten'd with *Newgate*; and that thereupon, he gave them Informations against my Lord Bishop, and others? Nay, had he not the Impudence to say, that the same *Right Honourable Person* offer'd him 2000 *l.* 500 *l. per Annum*, and a Place, to accuse the protesting Lords, the Earl of *Orrery*, and this Reverend Prelate? And that being ask'd, Whether he knew any thing of the Plot? He swore, No: Nor any body else; but that he knew of two other Plots, *viz.* one of Mr. *Walpole* against the protesting Lords; the other, of himself, upon Mr. *Walpole*, to get 2000 *l.* of him? Nay, it is prov'd, he declar'd, that the *same Gentleman* press'd him so hard to accuse some Persons; that he had it once in his Mind to take up that *Right Honourable Person's* Sword, and run him thro' with it; and so make an End of the Plot.

These are Things which have been prov'd upon *Neynoe*: And all these Things being consider'd, I believe, the Counsel for the Bill will readily agree with me, that no Credit ought to be given to one Word he has said: And if his Evidence be laid aside, the greatest Part of the Charge against my Lord Bishop falls to the Ground.

My Lords, the Evidence Mr. *Lewis* gave, was very material. For he shew'd your Lordships, that *Brocket*, who was of the Post-Office, was so skilful in counterfeiting Hands and Seals; that he wrote the Superscription of a Letter, and took the Impression of a Seal, and seal'd it again; and did it so well, and gave it such a Lustre, that Mr. *Lewis* could not distinguish it from the Original.

The Engravers likewise said, they could take off the Impressions of Seals so well, that they could not be distinguish'd: Nay, though the Wax were broken, yet if no Part of the Wax were lost, it might be done.

Your Lordships observe how the Engravers themselves were mistaken in Relation to some Impressions, which were produc'd to them: And you farther observe,

serve, that the Seal in Question, was a *Cicero's* Head, which all the Engravers agree to be a very common one; and they had many of them: So that no Objection can be made against my Lord on Account of that Seal. Nay, one of the Engravers said, it appear'd to him, that the Seals of the two Letters were not the same.

As to the Dog; there is Mr. *Crawford's* Certificate, and *Birmingham's* Affidavit.

As to Mrs. *Barnes's* Evidence; she hath found out now, that there were two Dogs, though nobody else ever heard of two. She said, the first was for the Bishop of *Rochester*. Now it is plain, the First was sent in *March*; and it was his Leg that was broken: And *Birmingham* swears, and Mr. *Kelly* solemnly affirms, that it was for Mrs. *Barnes*, and not for the Bishop.

As to the three Letters of the 20th of *April*; we have prov'd it impossible that the Bishop should write, or dictate those Letters to Mr. *Kelly*. And your Lordships take Notice, how the Butler came to observe, those Letters could not be written by the Bishop; and the Servants, though under Confinement, and not permitted to see any Body, agree in their Evidence. There is *Gordon's* Affidavit, that he never had such a Pacquet: And *James Talbot* was here in Town the 29th of *April*.

Thus, your Lordships observe, that a Bill of the most extraordinary Nature that ever was seen, hath been supported by the most extraordinary Evidence that ever was heard: And we hope, we have set the dark Passages, of which the Charge is compounded, in such a Light, that every one may plainly see the Right Reverend Prelate is not guilty of any one Offence charg'd against him.

Sir *Constantine Phipps* having thus ended, Mr. *Wynne*, the other Counsel for the Bishop, more fully enlarg'd upon the Evidence given for his Client, and at the same Time, made some nice Observations on the Evidence given for the Bill; which being over exactly at Two of the Clock in the Afternoon, the Bishop then spoke in his own Defence, as follows:

The Bishop of Rochester's Speech at the Bar of the House of Lords.

My Lords,

I Have been under a very long and close Confinement, and have been treated with such Severity, and so great Indignity, as I believe, no Prisoner in the Tower, of my Age, and Function, and Rank, ever was. By which Means, what Strength and Use of my Limbs I had when I was first committed in *August* last, is now so far declin'd, that I am very unfit to make my Defence against a Bill of such an extraordinary Nature.

The great Weakness of Body and Mind, under which I labour, such Usage, such Hardships, such Insults, as I have undergone, might have broke a more resolute Spirit, and much stronger Constitution, than falls to my Share.

Your Lordships were pleas'd to permit me to appear before the House of Commons, if I thought fit, lest my Silence should be turn'd to my Disadvantage, as in Fact, the Counsel for the Bill have done their utmost towards it.

I should not have thought to decline any Occasion of justifying myself; but I crave Leave to tell your Lordships some Reasons why I did not appear there, and make Use of the Leave your Lordships gave me.

After seven Months of close Imprisonment, I was not a little surpriz'd when I heard, that on the 11th of *March*, by the House of Commons, it was thus resolv'd, 'That it appears to this House, that *Francis* Lord Bishop of *Rochester*, was principally concern'd in forming, directing, and carrying on, a detestable Conspiracy, *&c.*

Upon duly weighing which Resolution, and the Copy of the Bill, I found not any thing charg'd in the Bill, but what was fully contain'd, and previously resolv'd in this Vote; and therefore whatsoever should have been offer'd on my Behalf to that House, would have been an express Contradiction to it. And what Hopes I could have of Success in such an Attempt, I need not say; what they sent me was the Preamble of the Bill only, which they could not alter, consistent with what they had resolv'd.

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The Bill itself was to inflict Pains and Penalties, which follow'd; but there was no Room to object against any of those which they had not then declar'd; they have since been added, and sent up to your Lordships in like Manner, without any Oath made, or any criminal Act prov'd against me by any living Witness. And is a Person, thus sentenc'd below, to be depriv'd of all his preferments, and his very Function, and to be a perpetual Exile, and to be render'd incapable of any Office and Employment? To be one whom no Man must correspond with, by Letters, Messages, or otherwise? And, my Lords, one who is a Bishop of the Church of *England*, and a Lord of Parliament?

It is the first Instance wherein a Member of this House hath been so treated and prejudg'd, and (as I have once before said to your Lordships) I pray God it may be the last, and that such Presidents in this Kingdom may not be multiply'd in After-Times.

My Counsel have amply done their Part, by arguing the Points of Law, by explaining and enforcing the Evidence, and shewing the little Colour, Appearance, and Shadow of Proofs against me, (permit me to call them so) by answering what hath been offer'd against me, and by setting out the Consequence which such a Bill founded and carry'd on in such a Manner, and which enacts such severe Penalties, must and will be attended with.

Yet it becomes me to say something for myself, lest my Silence be construd Consciousness of Guilt, or at least, an Unwillingness to enter into Matters of so dark and perplex'd, so nice and tender a Nature, as if I was not able, or did not care to clear and explain myself, and rather chose to leave it to the Management of others: I thank God I am under no such Restraint, and can speak to your Lordships on this Subject with great Freedom an Plainness.

But before I proceed, I beg Leave that I may represent to your Lordships some particular Hardships under which I have labour'd.

The first is, reading Extracts of anonymous Letters, without suffering any other Parts of the same Letters, though relating to the same Subject, to be read.——— Another is,——— Excusing the Decypherers from answering Questions ask'd by me, and which I thought necessary for my Defence, lest they should reveal their

Art. —— The next is, not suffering me to be answer'd by the Clerks of the Post-Office, left the Secrets of that Office should be discover'd. Another was, not suffering a Person, who had been at least ten Years out of the Secretary's Office, to answer any Questions which came to his Knowledge by being some Years in that Office.

Another is, reading Examinations, neither dated, signed, nor sworn to.

Another is, reading Letters suppos'd to be criminal, writ in another Man's Hand, and suppos'd to be dictated by me, without offering any Proof, that I either dictated them, or was privy to them.

Another is, not allowing me Copies of the Decypher'd Letters, tho' petition'd for, 'till the Tryal was so far advanc'd, and I so employ'd and weaken'd by it, that I had not sufficient Time to consider them. Another is, not allowing me to read out of the Collection of Papers before the House, or any Part of them, in order to discharge myself, but what hath been read by Clerks —— And all this in a Proceeding where the Counsel for the Bill profess they have no legal Evidence, and that they are not to be confin'd to the Rules of any Court of Law or Equity, though as often as it is for their Service, they constantly shelter themselves under it.

My Lords, these are the Hardships which I previously mention and humbly lay before your Lordships.

By your Lordships Leave, I proceed now to make that Defence, as well as I am able to make it in the Condition of Health I am now in, humbly praying your Lordships, if I find myself in any Degree sinking under it, that you will indulge me, and allow me a little Time to go on.

The general Charge of the Bill is, That I have been deeply concern'd in forming, directing, and carrying on a wicked and detestable Conspiracy, and was a principal Actor therein.

The Charge is divided into two Heads:

First, That I traiterously consulted and correspondered with divers Persons, to raise an Insurrection, &c. in this Kingdom, to procure foreign Forces to invade it, &c.

Secondly, That I traiterously corresponded with the same Intent with Persons employ'd, &c. But neither Part of this Charge hath been made good by the Coun-

sel

fel for the Bill, nor have they prov'd, nor attempted to prove me at one Consultation; nor is there any thing tends towards such a Proof, except the exploded Story of the *Burford* Club, and two or three hearsay Informations, which were mention'd of my Lord *Strafford*, Lord *North* and *Grey*, Lord *Orrery*, and Sir *Henry Goring*, said to be concern'd in the Management of this Affair. I have met all these Lords I own it, but at different Times; and upon the best Recollection I can make, I never was in all my Life with any three of them at once, unless perhaps about some general Matters depending in Parliament. The Earl of *Strafford* hath visited me, and I have, when in Health, din'd with him once at his House. At my Lord *North*'s Table I have not eat: Tho' I have great Honour for him, yet I never had any Intimacy with him, especially since the Affair of the Dormitory, wherein he appear'd so against me, that I certainly had lost the Cause, had not his Affairs call'd him to *Holland*.

Lawson hath sworn, that this Lord did often visit me at *Bromley*, but in Truth he never was there above twice or thrice in all his Life-Time.

I have not been once these two Years with Lord *Orrery* on any Business whatsoever; we twice din'd together at the House of a Person, whose Name, if I should mention, your Lordships would not think there was any Harm at all in dining there. Sir *Henry Goring* I never saw in all my Life, 'till he saw me at St. *James*'s, and he was but once at *Bromley*; and the Occasion of his coming to me, was his placing four Sons at *Westminster* School, and intending to breed up some of them to the Gospel: The last Time I saw Sir *Harry Goring*, was about twelve Months ago, when I promis'd to bring down one of his Sons to be upon the Foundation; and I shall be sorry if I cannot be as good as my Word.

Your Lordships will excuse me for being so particular, when you consider how dangerous the Charge is, and how fit it is to clear the Persons charg'd, from such mischievous Correspondence; especially since it is with these, and these only, that I have been speaking of; and it is insinuated, that I have held Consultations with, to forward the Conspiracy.

The first is an Intent, and indeed a Conspiracy, without a Consultation. But how hath that too been made good? Your Lordships will observe, that there is not one

one Overt-Act, or Circumstance of Time or Place, mention'd, prov'd, or alledg'd. I have not therefore consulted or conspir'd at Home.

The next and the only material Part of the Charge, is corresponding abroad with the Pretender, &c.

A high and heinous Accusation, strongly asserted, much insisted upon, but how maintain'd, is the Question?

The true State of this Part of my Charge, as well and as fully as I can recollect, is this, (I will not in any Degree dissemble before you:) 1st, That I did the 20th of *April*, 1722, dictate three Letters to Mr. *Dillon*, the late Lord *Marr*, and to the Pretender himself, under the feign'd Names of *Chivers*, *Musgrave*, and *Jackson*; to which Letters, the Names of *Jones*, *Illington*, and 1378, were, by my Direction, subscrib'd.

Secondly, That afterwards two Letters in Answer to these two sent to *Marr* and *Dillon*, one dated *May* 11, and the other *July*, 25, under the feign'd Names of *Matfield*, and *Digby*, were intercepted.

Thirdly, That there is certain intercepted Correspondence between the Pretender's Agents abroad and *Kelly* here, carry'd on by him, and that I was at the Head of it, and am answerable for what it contains.

This is the Substance of my Charge; all other particular Circumstances are made Use of, as they thought would give Light and Strength to one or other of those Articles.

As to the first of these Points, *that I did dictate these Letters*,

That it could not be possible that I dictated these Letters, hath been made out to your Lordships by such a Concurrence of Evidence, so clear, so full, and legal, as I persuade myself can have left no Doubt remaining upon any candid and indifferent Person; a plain Matter of Fact, supported by such Testimony, cannot be overthrown by little Guesses, and consequential Surmises.

My Lords, I was under the known Difficulty of proving a Negative, which in many Cases is not to be done; but it so happens in this Case, that peculiar Circumstances attend it as to the Point of Time. My being disabled in my Chamber, and attended before and after that Time by some of Servants, and receiving frequent Messages from others: The agreeing Testimony of my Servants,

vants, that no Stranger came near me about that Time, and for some Time before and after, and the full Evidence of the School at *Westminster*, hath enabled my several Servants to recollect the Time, and to furnish such a Proof of my Innocence in this Matter, as is not to be mistaken, and shews the Clearness of the Impossibility of it.

The Clerks of the Post-Office swear, they believe, these three Letters to have been in the Hand-writing of Mr. *Kelly*, my suppos'd Amanuensis. Your Lordships will remember, that their Oaths were at four Months Distance from the Time of seeing those Letters; during the whole Series of which Time, it never hath appear'd, that they have compar'd one Original with another, and the only Original, as a Specimen, hath been prov'd at your Lordships Bar, not to be the Hand-writing of Mr. *Kelly*; and be pleas'd to remember the very Supposition of Mr. *Kelly*'s being my Secretary, or any ways intimate with me, hath been fully sworn to be false.

If it be said, Who then writ these Letters, and with what View were they writ? The Answer to this is obvious; my being here at your Lordship's Bar, sufficiently explains it. It is enough to prove that I did not write or dictate them, and I have prov'd it abundantly. Let but any momentous Part of the Charge against me be made out with Half the Evidence, and I will submit without any Dispute. Eight or nine such Witnesses would have born down the Evidence of one or two that had sworn: But where there is none on the one Side, but all on the other Side, who appear, and that give direct positive Evidence, can your Lordships deliberate a Moment for the Reason of giving your Judgment, which in doubtful Cases, ought always to lean to the doubtful Side? And so taking this Point as it stands, there is an End of the whole Matter, for all other Insinuations, feign'd Names, and obscure Passages in Letters depending upon this, must fall together.

As to the other Part of the Accusation, when it is said, the Letter to *Jackson* was a Letter to the Pretender, I have nothing to do with it; he that writ the Letter, when known, will best be able, and most concern'd, to disprove it.

Since this Objection carries a very odd Sound, I shall briefly shew your Lordships how that stands: *Jackson*, in

in a Cypher of *Plunket's*, is said to denote the Pretender: That Cypher consists of one hundred and fifty Names, of which not one is us'd in any of the Letters attributed to Mr. *Kelly*: Three or four of these Names are us'd by Persons suppos'd to have writ to Mr. *Kelly* from abroad, but not one of them is us'd by him; nor doth *Jackson* ever, in his Part of the Correspondence, stand for the Pretender, but he is always under other Appellations: Nay, *Plunket* himself, in all his Letters writ in decypher'd Names, never stiles the Pretender *Jackson*, but either *Joseph* or *Jephson*. ——— Why should a Name, us'd in *Kelly's* Correspondence, be explain'd by *Plunket's* Cypher, when *Kelly* appears to be no ways acquainted with him, and *Plunket* himself did never dictate to him? I forbear Repetition; I only add, that at this Rate, there is nothing that may not be prov'd.

The Letter to *Dubois*, there is little said of, because there is no Use made of it; it is charg'd in the Report as a Letter which I had receiv'd from abroad. The Tables are now turn'd, and I myself design'd to have sent this Letter to a feign'd Correspondent, but keep it among my Papers, under my Seal: For what End? the Letter itself, is an errant Delusion; Why, to furnish Proof, which is much wanted, of my receiving Letters that were directed to *Jones* and *Illington*; and 'tis very strange, that I who am represented as being so very cautious, should be so negligent in this, and preserve something that is of no Use, and yet might hurt me so much when discover'd.

It is absurd to think, that I should by that Means mention the Name of my Correspondent, and mention the Name of *Johnson*, which the Committee of the Lower House observe, was constantly with me.

I know not what farther can be said for this Matter, 'till the Counsel have further explain'd it, and shew'd what Use they make of this Letter, which hath given your Lordships so much Trouble, and which I own, I do not comprehend.

There is still a fifth Letter, which I have acknowledg'd to be my Hand; that which was taken on my Servant. Mr. *Reeves* hath made some uncharitable Observations upon it, which, for ought I know, may be allow'd as the Form of Law in the ordinary Courts; but I am sure, in a Court of Equity, the most favourable Construction ought to take Place. I have taken Minutes

of

of his Obſervations, and I think, they are theſe: He obſerves, that the Biſhop doth not in his Letter inſiſt on his Innocence in general, but conſiders only what Evidence doth affect him.

It comes out, at laſt, for whom my Letter was deſign'd, and I think that an Anſwer to Mr. *Reeve's* firſt Obſervation, and I ſhall explain it no further. He obſerves next, though I clear myſelf from the Knowledge of *Layer*, *Neynoe*, *&c.* there I ſay nothing of *Kelly*.

The Gentleman I deſign'd the Letter for, knows it was in Anſwer to one wrote to me about *Layer*, and will ſwear it himſelf, if there was Room for it.

The third Obſervation is, where ſpeaking of myſelf, I ſay, 'If I cannot ward the Blow, I muſt be a Priſo-'ner ſome Years without Remedy.' From which he is pleas'd to infer, not in that good-natur'd Way he generally did, my Meaning muſt be, that I was conſcious of Guilt.

I apprehended an Impeachment would have been lodg'd and never proſecuted, as in the Caſe of my Lord *Danby*, and the Earl of *Oxford*, and then I ſhould have lain without Tryal, and without Bread.

The ſecond Article of my Charge, is the two Letters from *Marr* and *Dillon*, under the feign'd Names of *Motfield* and *Digby*, which were intercepted.

One of theſe they have dropt.

That I receiv'd them, is not pretended; both Letters, though without a criminal Expreſſion or Word of Buſineſs in either of them, would yet have affected me in ſome Degree, if receiv'd by me; and I was the Perſon as is ſuppos'd to have writ the Letters to which they are Anſwers. That I uſed to have any Correſpondence, is that prov'd? Is not one and the ſame neceſſary, in order to aſcertain the Charge?

Any Man that pleaſes may write to me, and take thoſe Names upon him; I am not to anſwer for that, unleſs I have appear'd to receive them, and kept up the Correſpondence.

The Letter from *Motfield*, dated *May* 11, cannot be reaſonably thought to have been wrote with any other View, than that of being intercepted, and of fixing upon me the Letter of *April* 20.

This Letter is committed to the common Poſt-Office, and ſent upon this Errand; one may doubt who writ it, but

one can't doubt with what Design it was writ: Your Lordships Wisdom will see thro' those malicious Disguises, and not make me account for Letters which have been banded to and fro between unknown Correspondents, on a Design to raise a Suspicion of a third Person, altogether a Stranger to what is writ. And here I desire, that the Observation made by one of my Counsel may not be forgot; that is, all the intercepted Letters from abroad, mention Persons that lay hid under secret Names, and are discover'd by doing of such Deeds, and by such Circumstances, as will fasten those Names upon them: Tho' the Committee were not at a Guess, yet they were often at a Loss.

In my Case, the fictitious Names apply'd to me, are often attended with such Descriptions and Circumstances, as very naturally lead those that offer these Letters to fix them on me; the Writers of them use all their Art not to disguise, but to open the Thing, and seem to be in Pain, lest they should not be well enough understood.

This being contrary to the Method of Reserves in all other Cases, smells strong of a malicious Design.

The Letter of *July* 25, from *Digby* to *Weston*, is not so well contriv'd as it should have been; yet I am to be understood by it, because of the Circumstances I was then under, which the Writer was apprised of.

These are the only two Instances of Letters suppos'd to be writ from abroad: They are not consistent: Shall they affect me in so high a Manner?

It remains to be consider'd in the third Place, whether there was a supported Correspondence between the Pretender and his Agents, and Mr. *Kelly* here? Whether I was at the Head of it, and am justly to answer for it? Mr. *Kelly*, I hear, hath own'd at your Bar, and declar'd, which I also declare, I never knew a Line of any Letter he writ to foreign Parts.

I meddle not with what concerns him any further than when it may affect me.

The chief Part is the Present of the Dog, the Account of that is in a Letter to *Hatfield*, dated *May* 5, not sign'd; in which are these Words, "The little Dog was "sent ten Days ago, and order'd to be deliver'd to "you." But there is no Intimation in this, or any other Letter from abroad, that this Present was intended for me.

In

In two Letters from hence, by whom writ, it doth not appear, somebody is meant under the different Names of Mr. *Jones* and Mr. *Illington*, in such Manner as design'd for the same Person; but the Circumstances are neither applicable to myself or my Wife, or me particularly. The Letter dated *May* 7, from *Hatfield* to *Musgrave*, being five Days after the Burial of my Wife, cannot mean her; and being but five Days after, it can as little mean me: So that the Writer of this Letter must either have known nothing of my Family-Affairs; or if he did, must dissemble his Knowledge of them, to raise a Suspicion; and in either Case, what he says is not to be regarded. The Surgeon and Mr. *Kelly*, only knew any thing of this Matter, and they can best clear it.

Mrs. *Barnes*, she varies, and sometimes the Dog is for me, and sometimes for her.

As for myself, I never ask'd for, receiv'd, or saw this Present, nor know any thing of it, but from common Fame; nor have I, to this Day, had any Message or Letter whatsoever concerning it. The End of this Design seems to be, to point me out by the Name of *Jones* and *Illington*, subscrib'd to the Letters of *April* the 20th, by using them again, in Relation to this Present.

And perhaps they are not much in the Wrong to think, that one intercepted Dog should be of as much Use as ten intercepted Letters. Both Contrivances then must have succeeded, had I not been able to prove that those Letters were not writ with my Order or Knowledge; and therefore the Use of those Names, in subsequent Letters, is a Continuance of the Fraud, and this obviously runs through the Whole of the Correspondence; for wherever the Names of *Jones* and *Illington* are, they are us'd in applying them to me, because they are the same.

These Points have not only been deny'd, but disprov'd with all Manner of Credence and Clearness.

My Counsel have shew'd that all these suspicious Correspondences are to the last Degree absurd, to apply to me, and no one would apply them: That I could not order the Letters of the 20th of *April*, to which the Names of *Jones*, &c. are subscrib'd, I think, is plain, and then the Evidence falls or depends upon it.

As to the Journeys to and from *Bromley*, where the Prisoner *Kelly* had frequent Access to me, and therefore I

might probably dictate those Letters, the Counsel for the Bill have not open'd themselves on that Head; but your Lordships have heard it made out, and because it is material I shall repeat it.

(Here *Wood's* Examination was read.)

By all these Accounts, nothing could have been easier for the Persons themselves to manage here, than getting an Account of my Neighbours in order to render the Contrivance more plausible.

That Mr. *Kelly* is no Stranger to me, I own; but that he is in any Degree intimate with me, or frequently saw me, I deny: And what Evidence is there from them to the contrary? Or how is this solemn Denial at your Bar contradicted?

The Chairman says, he carry'd him twice or thrice to the Deanary three or four Years ago; and this *Brown*, the Chairman, he swears, he carry'd me once in three or four Years Time. I believe he may. The Porter, he says, that he brought a Letter, and some Stockings from *Kelly* to me. The Foundation of this Story is true, for Mr. *Kelly* us'd to furnish me with Beaver Stockings, and Gloves; not but that the Circumstance of the Porter coming up to my Bedchamber at that dirty Time of the Year, is very extraordinary; and even this Evidence owns, he was never sent by me to him.

Now, on the other Side, there is the Evidence of almost all my Servants, who have upon Oath attested, that they do not know either the Name, or the Face of Mr. *Kelly*; which could not possibly be, did he use frequently to resort to me. Such a slight Acquaintance as I had with him, could not be any Temptation to enter into Secrets with him of such a dangerous Consequence as these are, which the Report insinuates to have pass'd between us: However, Suspicion is not now the Business. They that prove some Things, may be allow'd to suppose more; they that prove nothing, have no Right to indulge their Suspicions and Conjectures to the Ruin of any Man: Twenty Probabilities, allow'd to be such, are not equal to any one Matter of Fact well attested; they may strengthen the Fact, but cannot support it. They cannot be Evidence themselves, because one Probability may be set against another.

I use this Distinction between Evidence in Law, and reasonable Evidence, because the Counsel for the Bill have asserted something like it.

I ow

I own, I always thought the publick Law of the State, the publick Reason of the State; and whatever it is in another Country, yet in this Country, no Evidence can be reasonable that is not legal: But I ask, What Sort of Evidence, either in Reason or Law, is brought against me? How am I prov'd to consult and correspond, to raise an Insurrection against his Majesty, and his Kingdom, and to procure a foreign Force to invade the same in Favour of the Pretender?

How am I prov'd in the second Place, to have corresponded with the said Pretender, and with Persons employ'd by him? Is one Article of these Charges made out against me with any Colour of Reason? Suppositions without Proof, Suppositions disprov'd, and shew'd to be vain, and unjust.

If the Proof in these Cases wants Strength, can the Hearsay of *Neynoe* supply the Want of Proof, and render it valid; since *Neynoe* pretends, for ought that appears, not to have known any thing of me; he only heard *Kelly* say so, and Mr. *Kelly* denies it; and there is, I think, no Reason why such a dead Evidence should affect me or *Kelly* himself, much less me through him. Was *Neynoe* alive, and *Kelly* dead, and incapable of contradicting what *Neynoe* said, I believe what *Neynoe* said would not be of any Weight; besides, what *Neynoe* dead, says, and *Kelly* now alive, denies, ought not to have any Force.

Concerning hearsay Evidence in General, and concerning the due Regard to it, I humbly desire your Lordships, that a Passage may be read out of Sir *John Fenwick*'s Bill of Attainder. (The whole Preamble read.)

My Lords, I humbly desir'd to have this read, because I thought it would take away a Distinction between legal and Parliamentary Evidence; that what was not legal, might be Parliamentary. I believe, here is a Condemnation of him by Parliament; therefore I think, the Condemnation of him must be by Parliamentary Evidence. It is recited in this Act as one of the Inducements that mov'd the King, Lords, and Commons to pass that Act, that Sir *John Fenwick* had contriv'd and fram'd several Papers, *&c.* only by Hearsay.

Shall that be accepted in this Parliament for Evidence, which is declar'd the only Motive of attainting a Man in another? If 'twas judg'd hard in Sir *John Fenwick's*

Particular Case, to charge a Man by Hearsay, can the being thus charg'd, be any Proof against me? Sure the House of Commons in 96, that brought that in, would have, I thought, nor would those of your Lordships dissented here, or elsewhere, to have pass'd it.

But for those that did not consent, I will venture to say, I am exceedingly puzzled to know why they did not oppose Sir *John Fenwick*, but favour'd his Case, and are yet against me. Is the Guilt objected to me, if prov'd, in any Measure like his? Or Is there any Comparison between the Proof against him and me?

As to the Paper and Information given in by *Neynoe*, and printed in the Appendix, it is plain, he was drawn in to have sworn backward or forward, to have affirm'd or deny'd any thing. He knew a certain Lord of the Council that gave me Notice of my being taken up some Days before it happen'd. He knew what Uses and Purposes the Protests of your Lordships were chiefly design'd for and calculated; and it appears by his Paper that was taken in his Pocket after his Death, that he had undertaken to give a positive Account, and design'd either to ask or receive such a Sum of Money.

'Tis said, he was the late Earl *Marischal*'s Bedfellow for several Months, and had drawn up Heads for Memorials to be deliver'd to the Regent; but he had kept no Copies of these Heads, or foul Draughts, which would have shewn, whether they were given in to promote it, or discover it; in either Case, the Evidence of being then employ'd, would have been of Service; but they have not been able to produce a Line of such Heads or Memorials; yet the Report of the House of Commons, upon the Basis of these Memorials, build the whole Fabrick. He knew that I went under the Names of *Jones* and *Illington*, and undoubtedly he knew Mr. *Dubois*. If the Scheme of writing that Letter myself, had been seen, he would have found out a Reason for the Correspondence; and 500 *l.* would have made him affirm, that he carry'd the Letter himself. He knew the Pretender's particular Opinion of me, or of any Body else, and that he relv'd on Advices from me: How did he know that? He told him so. Who told him? It is not suppos'd Mr. *Kelly* had it from himself, but from Persons of high Estate, and that were near the Pretender.

Let

Let me speak, my Lords, as always I hope I shall, with that Modesty as becomes Justice, but yet with Freedom, to you.

Hath nothing been open'd to you concerning this Man's Character, and his secret Transactions? Is it possible to believe this Pretender to Secrecy, could have had, or shall he still have any Degree of Weight, that threw away his Life, rather than venture to stand to the Truth of what he said before his Death? Then he could have been contradicted, or Pangs of Conscience might have made him unsay what he had said? But a dead Man can retract nothing; what he hath writ, he hath writ; the Accusation must stand just as it did, so far as it concerns him; and we are depriv'd of the Advantage which Truth and Remorse once extorted, and would have again extorted from him. However, I would have been glad to have had all that ever this Wretch said, and would hope, that by comparing the several Stories which he several Times told, some Light might have been gain'd, which is now wanted: —— Particularly by the Knowledge of what he said freely and voluntarily, when he was in good Humour, and before his rough Usage, on his Return from *Rome*, had frighted him; But I think we have the Evidence only of a few of the last Days of his Life, all the preceding Time is Blank. He underwent frequent Examinations, but they were not, it seems, so maturely weighed and digested, as to be thought worth the committing to Writing; but he is gone to his Place, and hath answer'd for what he hath said at another Tribunal. I desire not to disturb his Ashes farther than what is necessary for my Defence.

Your Lordships will observe, first, the Inconsistency of some Part of the Charge. Secondly, the Improbability of it. The Report takes Notice of three several Periods, or Stages of Time; when by Consequence of some Informations from the Regent, the Design did not take Place; the first was, during the Election; the 2d was, the King's going to *Hanover*; and the third was, the breaking up of the Camp; there is not the least Hint as to the last of these three Designs, in any of the Papers; tho' in the Recital of the Bill it is mention'd as the third Part of the Plot, and the most detestable Part of the Design, to lay violent Hands on his Majesty and his Royal Highness.

There

There is not the least Colour of Proof as to the first Part of the Conspiracy, which was to take Place at the Election; their only Reason for that, is from a Passage, where 'tis said, that the present Opportunity is elaps'd, that is, the Opportunity of the Election.

I shall recite the Passage, as it lies in the intercepted Letter, and make some Reflections on it: 'Notwithstanding the Opportunity is elaps'd, (says the Writer to *Jackson*) I agree with you, another may offer before the End of the Year, tho' not perhaps every Way so favourable.

The Committee suppose this Letter to be from *Kelly*, and dictated by me, and they suppose the Words to refer to the Time of the Election, and from those Suppositions, infer, that I knew something of it. On the contrary, I shall, on the two first Suppositions, shew the Impossibility of it; if this was a Letter from me or from any other Person, dictated by me to the Pretender, I must write as in Answer to some Letter sent from them to me, in repeating the Expression; and his Opinion in the Letter, must have been founded on Intelligence before receiv'd: This Intelligence, considering the Distance between *London* and *Rome*, must have been communicated two Months if not longer, before the Date of this Letter; if we go back two Months, and talk of the Election being elaps'd, it was not begun; consequently that Opportunity in the Letter, could not possibly mean the Time of the Election; and if so, it is impossible that it should be a Letter to the Pretender, that can consist with the Charge of the Person's writing in *April*, 1720.

If it be a Letter writ in good Earnest, it appears, they had given over all Thoughts at that Time: 'I agree with you, says he, another may offer before the End of the Year;' and yet he finds some Words in a Letter he writ ten Days after, wherein under the Name of *Jones*, I am made to be deeply concern'd in a Conspiracy.

How can this be consistent, if I writ and directed that Letter, and was engag'd in the second Part of the Conspiracy?

Both cannot be true, both may be false; and I hope, I have satisfied your Lordships, that as I did not dictate the one, so I was no ways concern'd in the other.

Ca

Can any one believe, that under the ſad Circumſtance of being afflicted by the Death of my Wife, I ſhould be concern'd in an Affair of this dangerous Nature? Was that a Time to provide for a Stranger? And for a Man, unleſs under the Power of Prejudice, to believe ſuch an Improbability, or that I had ſuch a Conjecture: I forbear former Inſtances.

I ſhall now conſider the Improbability as well as Inconſiſtency of the Charge brought againſt me without poſitive Proof. You will allow me to anſwer the Indictment in the ſame Manner as it is laid.

Is it probable, that if I were engag'd in any ſuch Deſign, no Footſteps ſhould be ſeen of any Correſpondence I had with the late Duke of *Ormond*, to whom, of all Perſons abroad, I was beſt known, and to whom I had the greateſt Regard, and ſtill have all the Regard that is conſiſtent with my Duty to my King and Country?

Is it probable, that I would chuſe rather to engage in ſuch Deſign with Mr. *Dillon*, a Military Man I never ſaw, and with the Earl of *Marr*, whom I never convers'd with, except when he was Secretary of State?

Did I not know, what all the World thinks, that he had left the Pretender ſeveral Years, and had a Penſion abroad? Is this a Seaſon for me to enter into Conferences with him about reſtoring the Pretender, and do this not by Meſſages but by Letters, not ſent by Meſſengers, but by the common Poſt? That by thus writing to him by the Poſt, I ſhould adviſe him after the ſame Manner to write to me, and by theſe Means furniſh Opportunities, towards detecting the Perſons and bring myſelf into Danger? How doth that conſiſt with the Caution and Secrecy which are ſaid to belong to me? Muſt not I have been raſh to have laid myſelf open in ſuch a Manner? This is an inconſiſtent Scheme, the Other a bold Aſſertion. Is it probable, when attending the ſick Bed of my Wife, and expecting her Death not daily but hourly, that I ſhould enter into Negotiations of this Kind?

There was no Need of diſpatching any of thoſe Letters, meerly to excuſe my not writing: The Circumſtances of my Family had been a ſufficient Apology, and more effectual.

Is it probable, that when I was carrying on publick Buildings of various Kinds, at *Weſtminſter*, and at *Brom-*, conſulting all the Books from the *Weſtminſter*

Foundation, engaged in a Correſpondence with lea
ed Men, about ſettling an important Point of Di
nity; that at that very Time, I ſhould be carryi
on a Conſpiracy? Thoſe that entertain ſuch Thoug
without Reaſon, may alſo condemn me without A
gument.

Is it probable, that I ſhould meet and conſult,
order to carry on and forward this Correſpondence wi
no Body, and no Where?

That I who always liv'd at Home, and except at Di
ner-Time, never ſtirr'd out of my Chamber; receiv'd
Perſons that viſited me, and was deny'd to none, ſho
have an Opportunity to be ſo engag'd? And if I h
that none of my Domeſticks and Friends ſhould e
obſerve any Appearance of any ſuch Thing? No E
dence among my Papers, tho' they were all ſeiz'd
both my Houſes and confining all my Servants but o
for about ten or eleven Weeks, ſearching him twice
the Tower, and ſearching myſelf, nothing of Conſequ
appears, nor is there any one living Witneſs that char
me with any thing that is really true.

Is it probable, that I ſhould form and direct a C
ſpiracy, and carry it on with any Succeſs, that am
uſed to Arms, which I am no more acquainted w
than with the Perſons employ'd on thoſe Occaſions?
Way of Life hath not led me to converſe with
Men and ſuch Matters, except on the Occaſion of m
ing in Parliament, but in a Council of War, I n
was. Have I yet in any Inſtance of my Life med
remarkably out of my own Sphere, in Affairs for
to my Buſineſs and Character? I might have been thou
to have been too active in my proper Station and Buſi
but I was never charg'd with War, nor any ways inf
ed in the Art of it.

Is it probable, that Perſons concern'd in ſuch Mili
Scheme, (if any ſuch be form'd by Men of the S
that apply to ſuch Buſineſs) ſhould be puniſh'd wit
any Proof?

And muſt I, whoſe Way of Life is ſet at the gre
Diſtance from ſuch Perſons, and from the very S
cion of being concern'd with them, ſuffer all the P
and Penalties, ſhort of Death, which the Parlia
can inflict for a ſuppos'd I know not what, and w
don't to this Day apprehend.

Here is a Plot of a Year or two ſtanding to ſubver
Government with an arm'd Force; an Invaſion

abr

abroad; an Insurrection at Home; just when ripe for Execution, it is discover'd; and twelve Months after the Contrivance of this Scheme, no Consultation appears, no Men correspondng together, no Provision of Money, Arms, or Officers —— not a Man in Arms —— And yet the poor Bishop hath done all this.

Layer and *Plunket* carry on a treasonable Correspondence; they go to *Rome*, and receive Directions from the Pretender himself, to promote his Cause —— It does no where appear, that the Bishop has the least Share in, or is any way privy to their Practices —— And yet the Bishop has done all; he is principally concern'd in forming, directing, and carrying on this detestable Conspiracy.

What could tempt me to step thus out of my Way? Was it Ambition and a Desire of climbing into a higher Station in the Church? There is not a Man in my Office, farther remov'd from this than I am; I have a hundred Times said, and sincerely resolv'd, I would have been nothing more than I was, at a Time when I little thought of being any thing before; and I could give an Instance of this Kind if I thought proper.

Was Money my Aim? I always despis'd it, too much perhaps, considering what Occasion I am now like to have for it: For out of a poor Bishoprick of 500*l. per Annum*, I have laid out no less 2000*l.* towards Repairs of the Church and Episcopal Palace; nor did I take one shilling for Dilapidations. The rest of my little Income has been spent as is necessary, as I am a Bishop. Nor do I repent of those Expences now, (tho' since my long Confinement, I have not receiv'd the least Part of the Income of my Deanry) not doubting in the least, but that God who hath liberally provided for me hitherto, will still do it, and on his good Providence I securely rely.

Was I influenc'd by any Dislike of the Establish'd Religion, and secretly inclin'd towards a Church of Greater Pomp and Power? I have, my Lords, ever since I knew what Popery was, oppos'd it; and the better I knew it, the more I dislik'd it.

I begun my Study in Divinity, when the Popish Controversy grew hot about that immortal Book of *Tillotson*'s, when he undertook the Defence of the Protestant Cause in general, and as such, I esteem'd him above all.

You will pardon me, my Lords, if I mention one Thing:

Thirty Years ago, I writ in Defence of *Martin Luther*, and have preach'd, and writ to that Purpose, from my Infancy; and whatever happens to me, I will suffer any thing, and will, by God's Grace, burn at the Stake, rather than depart from any material Point of the Protestant Religion, as profess'd in the Church of *England*.

Once more: Can I be suppos'd to favour Arbitrary Power? The whole Tenor of my Life hath been otherwise: I was always a Friend of the Liberty of the Subject, and to the best of my Power constantly maintain'd it: I may have been thought mistaken in the Measures I took to support it.

It matters not by what Party I was call'd, so my Actions are uniform.

To return to the Point: The Charge brought against me in the Manner it is brought, is improbable: If I could be guilty of it, I must have acted under a Spirit of Infatuation; yet I have never been thought an Idiot or a Madman.

My Lords, as to the Pains and Penalties contain'd in this Bill, they are great and grievous, beyond Example in their Nature and Direction.

I am here, my Lords, and have been expecting an Immediate Tryal. I have, my Lords, declin'd no Impeachment. The Correspondence with the Earl of *Clarendon*, was made Treason, but with me 'tis only Felony. He was allow'd the Conversation of his Children, by the express Words of the Act: Mine are not so much as to write, so as to be sent to me.

What is most particular in my Case, I will repeat distinctly, that my Reverend Brethren may hear it. I am render'd incapable of using or exercising any Office, Function, Authority, or Power Ecclesiastical, not only in his Majesty's Dominions, but any where else: Very hard! That such Spiritual Power as is not derived from Men, but God himself, should be taken from me!

And I am not only deprivd of all Offices, Dignities and Benefices Ecclesiastical, and for ever banish'd the Realm, but likewise precluded from the Benefit of Royal Clemency, and made utterly incapable of any Pardon from his Majesty, his Heirs and Successors.

My Lords, I insist on my Innocence; that I am not guilty; that if I am not prov'd so, your Lordships will thus judge; if otherwise, I perswade myself, I shall find some Degree of Mercy.

You will not strip a Man of his Substance, and then send him where he cannot subsist; you will not send him among Strangers, and then hinder others from performing Humanity to him; you will not give him less Time to order his Affairs and depart the Kingdom, than the Bill hath taken in passing through both Houses.

The Great Man I last mention'd, carry'd a great Fortune with him into foreign Parts, and had the Languages; was well acquainted abroad: The Reverse of all this is my Case: I indeed am like him in nothing but his Innocence, and his Punishment. It is in no Man's Power to make us differ in the one, but 'tis in your Lordships Power to make us differ widely in the other, and I hope your Lordships will do it.

But to sum up the Arguments: It hath been frequently observ'd, that the higher the Crimes are, the fuller the Proofs ought to be. Here is a Charge of High Treason brought against me, with no Evidence at all.

My Lords, pardon me, what is not Evidence at Law, can never be made so by any Power on Earth; for the Law that requir'd the Evidence, is as much the Law of the Land, as that which declares the Crime.

It is equally unjust to declare any Proof legal, because of my Prosecution: As extraordinary would it be, to declare the Acts themselves, *ex post facto*.

Never was there a Charge of so high a Nature, and so weakly prov'd.

A Person dead, so that there is not an Opportunity to falsify him by contradicting him; a Charge not supported by any one Evidence, nor by any one Proof of any thing that hath been writ or receiv'd by me, not even by any one criminal Word prov'd to have been spoken by me; but by intercepted Letters and Correspondence, in which appears not the least Certainty.

Some of those Letters shewn to Persons, with a Design to fasten something on them; others writ in Cyphers, and fictitious Names, throwing out dark and abstruse Hints of what Persons went by those Names, sometimes true and sometimes doubtful, and often false, who continue all the while Strangers to the whole Transaction, and never make the Discovery, 'till they feel and find it

advancing

advancing itself towards them: My Lords, this is my Case, in short.

I have a hard Task to prove my Innocence: Shall I stand convicted before your Lordships on such an Evidence as this? The Hearsay of an Hearsay; a Party dead, and that deny'd what he said; by strange and obscure Passages and fictitious Names in Letters; by the Conjectures of Decypherers, without any Opportunity given me of examining and looking into the Truth of their Decyphering; by the Depositions of Post-Office Clerks about the Similitude of Hands; their Depositions made at distant Times, and without comparing any one of the Originals, by a strange Interpretation of them; for nothing more, I am perswaded, can be made of the Arguments, than what is call'd the intercepted Correspondence.

Shall I, my Lords, be depriv'd of all that is dear to me, and in the Circumstances I am in, scarce able to bear up, and by such an Evidence as would not be admitted in any other Cause or any other Court; and would hardly affect a Jew in the Inquisition of *Spain*?

And shall it be receiv'd against a Bishop of this Church, and a Member of this House? God forbid. Give me Leave to make Mention of a Text in Holy Writ: *Against an Elder receive not an Accusation, but before two or three Witnesses.* It is not said, Condemn him not upon an Accusation, *&c.* But Receive it not; I am something more than an Elder, and shall an Accusation against me be countenanc'd, without any one Instance of Proof to support it?

This is not directly Matter of Ecclesiastical Constitution: There you read, one Witness should not rise up against an Elder; but here, at the Mouth of two Witnesses, or three Witnesses, shall the Matter be establish'd: And as this Rule was translated in the State of the Church, People always thought fit to follow it.

Shall I be the first Bishop in this Church, condemn'd upon Conjecture, on fictitious Names and obscure Passages in Letters, instead of two or three Witnesses?

Will not others endeavour to make the same Precedent and desire the same Influence of it to succeeding Ages, and even concur in such an Act, in order to render me incapable of using or exercising any Power or Authority, *&c.* Is this good Divinity or good Policy?

As

As to the Justice of the Legislature, in some Respects it hath a greater Power than the Sovereign Legislature of the Universe; for he can do nothing unjust. But tho' there are no Limits to be set to a Parliament, yet they are generally thought to restrain themselves, to guide their Proceedings in criminal Cases, according to the known Law.

The Parliament may order a Criminal to be tortur'd; Who can say they cannot? But they never did, nor ever will, I hope; because Torture, tho' used in other Countries, is not known here.

Is it not torturing to inflict Pains and Penalties on Persons not suspected of Guilt, nor plainly prov'd guilty? It is not much unlike it. The Parliament may, if they please, as well as upon the Bill of perpetual Imprisonments, upon a Bill of perpetual Exile, reserve to the Crown a Power to determine the one as well as the other. They have so enacted it in the one Case, but they have not enacted it in the other. The Law knows nothing of such absolute perpetual Imprisonments.

The Law may in like Manner, condemn a Man on a Charge of accumulated and constructive Treason. They did so in the Case of the Great Lord *Strafford*, and that by accumulated and constructive Proof of such Treason, that is, by such Proofs so well interpreted, as plainly to communicate Light and Strength to each other, and so to have all Force, without the Formality of Evidence. Was such Proof ever admitted by any one, to deprive his Fellow Subject of his Fortune, of his Estate, his Friends, and Country, and send him in his old Age, without Language or Hope, without Employment, to get the Necessaries of Life, to starve: I say again, God forbid.

My Ruin is not of that Moment to any Number of Men, to make it worth their while to violate, or own to seem to violate their Constitution in any Degree, which they ought to preserve against any Attempts whatsoever.

But where once such extraordinary Steps as these are taken, and we depart from the fix'd Rules and Forms of Justice, and try untrodden Paths, no Man knows where this shall stop.

Though I am worthy of no Regard, though whatsoever is done to me, may for that Reason be look'd upon

to

to be just; yet your Lordships will have some Regard to your own lasting Interest, and that of Posterity.

This is a Proceeding with which the Constitution is not acquainted, which, under the Pretence of supporting it, will at last effectually destroy it.

For God's sake lay aside these extraordinary Proceedings, set not up those new and dangerous Precedents; I for my Part will voluntarily and cheerfully go into perpetual Banishment, and please myself that I am in some Measure, the Occasion of putting a Stop to such Precedents, and doing some Good to my Country; and will live, wherever I am, praying for its Prosperity; and do, with the Word of Father *Paul* to the State of *Venice*, say, *Esto perpetuo*: It is not my departing from it I am concern'd for: Let me depart, and let my Country be fix'd upon the immoveable Foundation of Law and Justice, and stand for ever.

I have, my Lords, taken much of your Lordships Time, yet I must beg your Attention a little longer.

Some Part of my Charge hath been disprov'd by direct and full Evidence, particularly that of writing the Letters of the 20th of *April*, or that I knew who wrote them; which I utterly deny that I ever did, or as yet do know. Other Parts of the Charge there are, which are not capable of such Disproof, nor indeed require it; there I rest. But my Lords, there is a Way allow'd of vindicating myself. It is generally negative; that is, by protesting and declaring my Innocence to your Lordships, in the most deliberate, serious, and solemn Manner; and appealing to God, the Searcher of Hearts, as to the Truth of what I say, as I do it in what follows: I am charg'd in the Report with directing a Correspondence to Mr. *Kelly*; but I solemnly deny, that I ever, directly or indirectly, saw a single Line of any of their Letters 'till I met with them in Print. Nor was the Contents of any of them communicated to me. I do in the next Place deny, that I was ever privy to any Memorial to be drawn up to be deliver'd to the Regent. Nor was I ever acquainted with any Attempt to be made on the King's going to *Hanover*, or at the Time of the Election. Nor did I hear the least Rumour of the Plot to take Place, after the breaking up of the Camp, 'till some Time after Mr. *Layer*'s Commitment. I do with the same Solemnity declare, that I never collected, remitted, receiv'd, or ask'd any Money of any

any Man to facilitate these Designs; nor was I ever acquainted with, or had any Remittances whatsoever from any of those Persons. I never drew any Declaration, Minutes, or Paper, in the Name of the Pretender, as is expressly charg'd upon me; and that I never knew of any Commission issu'd, Preparation of Arms, Officers, or Soldiers, or the Methods taken to procure any, in order to raise an Insurrection in these Kingdoms. All this I declare to be true, and will so declare to the last Gasp of my Breath.

And I am sure, the further your Lordships examine into this Affair, the more you will be convinc'd of my Innocency. These contain all the Capital Articles of which I am accus'd in the Report of the House of Commons.

Had the Charge been as fully prov'd as ascertain'd, it had been vain to make Protestations of my Innocency, tho' never so solemn.

But as the Charge is only supported by the slightest Probabilities, and which cannot be disprov'd in any Instance, without proving a Negative: Allow the solemn Asseverations of a Man in Behalf of his own Innocence to have their due Weight, and I ask no more, than that they may have as much Influence with your Lordships as they have Truth.

If on any Account there shall still be thought by your Lordships to be any seeming Strength in the Proofs against me: If by your Lordships Judgments, springing from unknown Motives, I shall be thought to be guilty, if for any Reasons, or Necessity of State, in the Wisdom and Justice of which I am no competent Judge; if your Lordships shall proceed to pass this Bill against me, God's Will be done: *Naked came I out of my Mother's Womb, and naked shall I return; and whether he gives or takes away, Blessed be the Name of the Lord.*

The Bishop having done speaking, and being with his Counsel withdrawn, the Lord *Lechmere* took Notice, that the most material Part of the Charge against that Prelate, was his Dictating the treasonable Letter to Mr. *Kelly*; and since he was the only legal Witness they could have in this doubtful Case, he therefore mov'd, That *George Kelly* alias *Johnson*, now a Prisoner in the Tower of *London*, be brought to the Bar of this House on Monday Morning next, to be examin'd upon Oath, on the Bill intitled, *An Act to inflict Pains and Penalties on* Francis

Lord Bishop of Rochester. He was seconded by the Earl of *Carlisle*, but oppos'd by the Court Lords; so that the Question being put upon his Motion, it was resolv'd in the Negative, by 80 Voices against forty; Whereupon several Lords enter'd and sign'd the following Protestation.

Dissentient

1. Because we think it unquestionable, that the said *Kelly* is a competent legal Witness to the Matters charg'd by the Bill against the Bishop, and could not be legally refus'd to be sworn as such, if the Bishop were on his Tryal for the same in the ordinary Course of Justice; and that, whether the said *Kelly* was produc'd for or against the Bishop. And we conceive, that if the Counsel for the Bill had thought fit to have produc'd him in Support of the Bill, that even no legal Objection could have been made by the Bishop's Counsel against his being so produc'd and sworn; the Bill pass'd this House against the said *Kelly* not having receiv'd the Royal Assent, and there not being in the said Bill, in our Opinions, any thing that can destroy even his legal Testimony, when the same is pass'd into a Law.

2. Because the three Letters dated *April* 20, 1722, suppos'd to contain treasonable Correspondences with the Pretender and some of his Agents, have been made the principal Charge against the Bishop, and have been endeavour'd to be prov'd to have been dictated to the said *Kelly* by the Bishop, at or about the Time of their Date; but this not being as yet done, as we think, by direct or positive Proof, by any living Witness of the Fact, but by Circumstances only; we think it most proper, and most safe and just, to endeavour to discover the Truth of that material Fact by the best Evidence the Nature of the Thing can admit of; and that this House should not be left under the Difficulties of judging on this extraordinary Occasion, from doubtful Circumstances, if the Fact may be clear'd by certain positive Proof, and the Examination of a competent and a living Witness, upon Oath, at the Bar of this House.

3. Because several living Witnesses have been examin'd on Oath, at the Bar of this House, on Behalf of the Bishop, in order to prove by their positive Testimony and other Circumstances, that the Bishop did not dictate

or direct, or was any way privy to the writing the said Letters, or any of them, which has, in our Judgments, render'd it yet of greater Importance, that the suppos'd Writer of those Letters should be brought under the most strict and solemn Examination, before the Bill has pass'd this House.

4. Because the said *Kelly*, tho' examin'd before Committees of both Houses of parliament, and elsewhere, hath not, to our Knowledge, been yet examin'd on Oath, to the Matters contain'd in this Bill, and it having appear'd to us, in other Instances on this Occasion, particularly of Mrs. *Barnes* examin'd for the Bill, and of *Bingley* against it, who have materially varied their Examinations at the Bar of this House, from their former Examinations, at the same Time declaring, that their former Examinations were not taken and sworn to by them; we think it may be both dangerous and derogatory to the Honour and Justice of the House, not to examine on Oath, a Person capable of discovering the Matters of Fact, on which the Justice of the Bill against the Bishop must depend; and especially after the said *Kelly* hath declar'd in the most solemn Manner, next to that of his being upon Oath, that the Bishop did not dictate, or was privy to the writing the said Letters, or any of them; and the Bishop himself, in his Defence, having also, in the most solemn Manner of Asseveration, declar'd his Innocence in this Particular, and expressly referring to the former Asseverations of the said *Kelly*, as we conceive, as a Testimony in Confirmation of his own Asseverations.

5. Because we conceive, that the said *Kelly* was not only a legal Witness for or against the Bishop, in the strict Construction of Courts of Judicature, but the Examination of him upon Oath, in this Bill, is in every Respect whatsoever, in our Judgments, less liable to Objection than many, and most other Evidences, which on this Occasion have been allow'd; because the Bill pass'd by this House against the said *Kelly*, if it obtains the Royal Assent, as is most probable, doth in Judgment of Law, acquit him of any future Prosecution for the said Treasons therein charg'd upon him: And there is no Judgment or Punishment inflicted upon him in the said Bill, which can, when pass'd, destroy his Capacity of giving Evidence on any Occasion; and the same having pass'd this House, and not pass'd the Royal Assent,

leaves the said *Kelly*, in our Opinions, under less Influence either of Hopes or Fears, than such Witnesses which have been examin'd on this Occasion, under Commitments and Charge of High Treason; and, as we conceive, less liable to that Objection, than the Declaration of *Philip Neynoe*, which has been read against the Bishop, tho' never sign'd or sworn to by him, and the said *Neynoe*, some Months since drown'd in endeavouring his Escape; and which Declaration appears to us to have been made by him under the strongest Influences of Guilt and Terror.

6. We think, the Crimes charg'd in the Bill against the said *Kelly*, are in their Nature, distinct and independent on those charg'd on the Bishop, *Kelly*'s Guilt in writing the said treasonable Letters prov'd upon him, being the same, altho' the Bishop be altogether innocent in Relation thereto, for which, as we conceive, this House did refuse to permit *Kelly*, on his Bill, to give Evidence that the Bishop did not dictate the said Letters; and for which Reason, we are of Opinion, that the Evidence which *Kelly* might have given, touching the Bishop's dictating the said Letters, or not, would have produc'd no Consequence at all with Regard to the Bill pass'd against himself, altho' it must necessarily have contributed to the Proof of the Guilt or Innocence of the Bishop.

7. This House having with great Honour and Justice declar'd to several Persons produc'd as Witnesses on this Occasion, that it was not requir'd from them to depose to any thing which did, or might tend to their own Accusation; the Testimony of the said *Kelly*, if he had been examin'd upon Oath, we doubt not, would have been taken under the same just Indulgence; and if he had submitted to have been examin'd on Oath, to the Matters of this Bill, such Examination being in this Respect, voluntary, could not, in our Opinions, have been construed as forc'd from him by the Authority of this House; and such a Testimony as he might have given, would have remain'd under Consideration and Judgment of this House, as to its Credit and Influence on all Circumstances, in the same Manner as the other Evidence for and against the Bill still does.

Cowper,	*Bathurst*,	*Berkeley de Str.*
Strafford,	*Salisbury*,	*Fran. Cestrien.*
Scarsdale,	*Northampton*,	*Willoughby de Br.*
		Dartmouth

Dartmouth,	*Bingley*,	*Masham*,
Lechmere,	*Foley*,	*Bulkeley*,
Pomfret,	*Anglesey*,	*Compton*,
Ashburnham,	*Bruce*,	*Middleton*,
Cardigan,	*Gower*,	*Hereford*,
Litchfield,	*Uxbridge*,	*Hay*,
Guilford,	*Exeter*,	*Denbigh*,
Aylesford,	*Brook*,	*Wharton*.
Weston,	*Craven*,	

On Monday the 13th of *May*, the Bishop of *Rochester*, being for the last Time brought to the Bar of the Lords House, Mr. *Reeves*, one of the Counsel for the Bill, made the following Reply to the Bishop's Defence:

Mr. Reeves's *Reply to the Defence of the Bishop of Rochester.*

May it please your Lordships,

TO permit me to offer something by Way of Reply to the Arguments that have been made Use of, and the Evidence that hath been given in Behalf of the Bishop of *Rochester*.

My Lords, I shall not trouble your Lordships with entring far into the Arguments insisted on by the other Side, concerning the Power of the Parliament to pass Bills of Attainder; Bills of Pains and Penalties, and Bills of Attainder have been treated by them as inconsistent with, and unknown to our Constitution, unless in a few Instances which afterwards have been condemn'd; and yet they have mention'd the Case of Sir *John Fenwick*, which is a Precedent of a Person attainted without legal Evidence, tho' he were forth-coming and amenable to Justice, and his Attainder remains still unrevers'd. And as to Bills of Pains and Penalties, they should, before they inveigh'd so much against them, have consider'd, that two such Bills have now already pass'd your Lordships House; and the Bills against *Counter*, *Bernardi*, and others, and against the late *South-Sea* Directors, are Precedents of Bills of this Kind.

They have mention'd many Instances, where Persons have been prosecuted according to the known Rules of Law, and the Parliament did not think fit to interpose. And doubtless, my Lords, generally speaking, where Evidence is to be had, and to be produc'd, and the Persons are forth-coming, it is right to proceed according to the known Rules of Law, in the ordinary Courts of Justice.

But

But where Conspirators are carrying on their Designs with Art, and contriving to shelter themselves from those known Rules of Law; we apprehend, my Lords, the ordinary Prosecutions at Law will be no Argument against the Legislature's making Use of their Authority, when the Circumstances of the Case, the Preservation of the publick Peace, the Safety of the Constitution, require it.

But I beg Leave to mention one Instance, in which they are mistaken: They have said, that in the Case of the Regicides (that horrid and detestable Treason!) they were all prosecuted according to the ordinary Course of Law; but if they had look'd into the Acts of Parliament, they would have found, that some of them were punish'd by Bills of Pains and Penalties. The Lord *Monson*, and others, who sat as Judges in the pretended High Court of Justice, were resery'd by two Acts of Parliament that pass'd, to have Pains and Penalties inflicted upon them; and tho' there was Evidence in that Case to have attainted them according to the ordinary Course of Law, the Parliament did proceed to punish them by Pains and Penalties, and they were not try'd according to the ordinary Course of Law. This I observe in Relation to the Power and Usage of Parliaments, in passing Bills of this Kind.

My Lords, in the next Place I beg Leave to take Notice, that the Observations that have been made, and the Evidence that hath been given by them, as to Facts mention'd in the Report and Appendix concerning which we have given no Evidence at all, ought to be laid out of this Case, as foreign to the Matter before your Lordships. The Matters we have given in Evidence, it was proper for them to answer; but they have gone into the Report and Appendix, in order to disprove Facts mention'd there, tho' we gave no Evidence concerning them; and we humbly apprehend, it is not necessary for us to follow them as to those Facts; for if we maintain the Charge we have given, it doth not concern us to make good every Article in the Report and Appendix, relating to this Reverend Prelate.

My Lords, we must admit the Evidence produc'd to charge the Reverend Prelate at your Lordships Bar, is Evidence not all of it strictly legal against him, if he was to be try'd according the ordinary Course of Justice in *Westminster-Hall*. But my Lords, we humbly apprehend, you are not ty'd to the Rules of *Westminster-Hall*;

for

or if your Lordships are satisfied that the Facts prov'd, ying them all together, do conclude the Reverend Prelate the Bar guilty, notwithstanding they do not amount to vidence according to the ordinary Rules of *Westminster-Hall*, your Lordships will be of Opinion, that it fit he should be punish'd.

My Lords, the Evidence that hath been given by us, to Facts comitted by the Bishop of *Rochester*, hath een chiefly from three Letters, dated the 20th of *April*, 722; each of these was written in the Hand of Mr. *Kelly*, and dictated by my Lord Bishop of *Rochester*. These Letters are writ some Part in Cyphers, and some art not; they are sign'd by the Names of *T. Jones*, *T. llington*, and the Figures 1378. My Lords, if these hree Letters are prov'd to your Lordships Satisfaction, be the Letters of my Lord Bishop of *Rochester*, we umbly apprehend, they do prove all the Allegations n the Bill, which my Lord Bishop of *Rochester* hath een pleas'd to call upon us to shew that he hath been uilty of. They do contain, as we say, and as plainly appears from the Letters themselves, Matters relaing to consulting and conspiring to invite a foreign orce into this Kingdom, for an Invasion, and to pronote an Insurrection. And if the Name of *Jackson* is he Name by which the Pretender is signified, that Letter will prove the other Part of the Bill, that the Bishop f *Rochester* hath held Correspondence with the Pretender himself.

I beg Leave to observe upon the Word *Jackson*; it hath een insisted upon, that tho' it is contain'd in *Plunket's* Cypher, yet *Jackson* may signifie in Mr. *Plunket's* Cypher ne Thing, and in these Letters another; and these Letters are contriv'd in Figures, and not those cant Words and Names, as in Mr. *Plunket's*; but so far they go, to admit, that in *Plunket's* Cypher, the Name of *Jackson* stands for the Pretender. My Lord Bishop of *Rochester* was pleas'd to observe, that in all the Correspondence between Mr. *Kelly* and the Persons with whom he corresponded abroad, there is no Name contain'd in Mr. *Plunket's* Cypher, which *Kelly* hath made Use in any of his Letters but this.

My Lords, it appears to your Lordships, that in the Correspondence between Mr. *Kelly* and the Persons abroad, several other Names mention'd in *Plunket's* Cypher, have been used; and it is not material, whether these Names are contain'd in the Letters writ by *Kelly* himself,

himself or in those of his Correspondents writing to him. When his Correspondents write to him, in Answer to his Letters, they use several other of the Names which are contain'd in *Plunket's* Cypher, which we humbly apprehend, is the same Thing as to the Purpose, as if they were used in Mr. *Kelly's* Letters; for he must be presum'd to know the Meaning of those fictitious Names, when they are contain'd in Letters that come in Answer to Letters from him, in the Correspondence which he carries on; and we humbly apprehend, my Lords, that is as strong an Evidence, as if they had been contain'd in the Letters writ by Kelly himself. Therefore my Lords, I beg Leave to take Notice of several Names that are in Mr. *Plunket's* Cypher, and us'd by Mr. *Kelly's* Correspondents, in their Letters to him.

There is the Name of *Xoland*, which stands for *Wogan*; the Name of *Lane*, which stands for Lord *Marr*; the Name of *Cane*, which stands for *Dillon*; and the Name of *Howell*, for *Glasock*. My Lords, all these Names are in Mr. *Plunket's* Cypher, and made Use of in the Letters that pass'd between Mr. *Kelly* and his Correspondents.

I beg Leave, to submit it to your Lrdships, when Among Persons concern'd in carrying on the same Conspiracy, Cyphers are made Use of, and in the Cyphers of some of the Conspirators, the Names compriz'd in Letters, writ by others of the Conspirators, are contain'd, whether it is not a reasonable Evidence, that those fictitious Names contain'd in the Cyphers of one of the Conspirators, and made Use of in the Letters of the other, signify the same Persons; unless there be something to distinguish the Case, and shew, that the same Names are made Use of to denote several Persons.

My Lords, we submit it to your Lordships, that it is plain from the Evidence we have given, that these three Letters are writ by the same Hand; and by the Circumstances in the Letters, they appear to be dictated by one and the very same Person. Therefore my Lords, the Enquiry will be, who is the Person describ'd by the Names of *T. Jones*, *T. Illington*, and the Figures 1378; for if we have prov'd the Bishop of *Rochester* to be denoted in this Correspondence by the Names of *Jones* and *Illington*, and that these Letters were written by *Kelly*, and dictated by *Jones* and *Illington*, then the Bishop

of *Rochester* is the Person by whom these Letters were dictated.

This will appear to your Lordships, from other Facts contain'd in Letters intercepted in this Correspondence; Facts, that all of them together, can relate to no Person but the Bishop of *Rochester*. The Circumstances of the Bishop and his Family, are exactly describ'd in the three Letters of the 20th of *April*; and those Circumstances plainly shew, that all the three Letters were dictated by the same Person, and that the Figures, 378, denote the same Person, that *Jones* and *Illington* do. There are several other Facts contain'd in the intercepted Letters, that denote *Jones* and *Illington* to be the Bishop of *Rochester*. One of them is the Fact relating to a Dog sent over to Mr. *Kelly*, which appears by the Evidence given, to have been design'd for the Bishop of *Rochester*.

The next Circumstance observable in the intercepted Correspondence between Mr. *Kelly* and his Friends abroad, is the Letter dated the 30th of *April*, 1722, E. 35. which says, *Mrs.* Jones *dy'd last Week, and when the Days of Mourning are over, he will, I hope, be fit for Business.*

My Lords, it hath been given in Evidence, his own Witnesses as well as ours, have given an Account, that the Bishop's Lady dy'd the 26th of *April*: This Letter is dated the 30th of the same *April*, consequently this suits exactly with the Bishop's Circumstances as to his Lady being dead.

That *Jones* and *Illington* are the same, appears likewise by the Answer given to this Letter, dated the 20th of *May*, 1722, E. 43, which says, 'Mrs. *Chivers* gives you her kind Services, and prays you will condole in his Name on the Death of Mrs. *Illington*.' My Lords, this Letter is in Answer to that of the 30th of *April*; for it begins, 'Yours of the 30th of *April*, which should have come by the last Post, is come to Hand.' And this Letter condoles on the Death of Mrs. *Illington*, whereas the Letter of the 30th of *April*, gave an Account that Mrs. *Jones* was dead: So that *Jones* and *Illington* appear by these Letters to denote the same Person.

My Lords, these are Letters writ by Correspondents, concern'd one with another, in carrying on this Conspiracy. It hath been objected on the Behalf of my Lord Bishop of *Rochester*, that he is not concern'd in writing

of these Letters, nor did any of them come to his Hands, nor were they writ by his Directions, but that they pass'd between Mr. *Kelly* and his Correspondents abroad. Your Lordships, we hope, will be of Opinion, that a Correspondence of this Nature, (unless they shew some thing to induce your Lordships to believe, that there hath been a malicious Design in the Parties between whom these Letters pass'd, to denote the Bishop of *Rochester* in order to charge him) that these are Facts which amount to a certain Proof who the Person is, that used to go by the Names of *Jones* and *Illington*.

Your Lordships observe how the Matter stands: Mr. *Jones* and *Illington* is a Person, describ'd by the Letter of the 20th of *April*, to be in great Pain himself, to be in Melancholy Circumstances in other Respects: It appears by the Evidence at that Time to have been the of the Gout, his Lady appears to have been ill, and dying; Mrs. *Jones* and Mr. *Illington* is a Person to whom a Dog was sent, and it appears by the Evidence, that this Dog was design'd for the Bishop of *Rochester*. Mrs. *Jones*, in one Letter, 'tis said, dy'd last Week; and in another Letter they condole the Death of Mrs. *Illington*; and it appears, the Bishop's Lady dy'd the Week before the 30th of *April*.

There are other Circumstances which I should mention in Relation to the Times when the Bishop was in *London*, and when in the Country; which we apprehend, is an additional Proof who was meant by the Names of *Jones* and *Illington*. Therefore in Letter 41. *a*. *Kelly* says, Mr. Illington *is now in Town, and presents his kind Service to you; he is glad to hear you receive his Letters by* Crow, *and wishes his next may be more to your Satisfaction.*

This Letter is dated the 7th of *May*; there it is said Mr. Jones *is now in Town*. It appears by the Examination of *Wood*, the Coachman, that on the 7th of May my Lord Bishop of *Rochester* was in Town.

There is another Letter dated the 7th of *May*, 17[illegible] directed to *Musgrave*, E. 42. which I beg Leave to make some Observations on. There it is said, *I had the Favour of yours, which I communicated to Mr.* Jones, *who is come to Town only for a Day.*

My Lords, this Letter shews, that the Person denoted by the Name of *Jones* was come to Town; but the object that this Letter cannot be apply'd to denote the Bishop of *Rochester*, because it appears by the Dep-

tion of *Wood*, that the Bishop of *Rochester* staid in Town till the 10th of *May*; so consequently he did not come to Town only for a Day, and consequently can't be the Person meant in that Letter.

My Lords, as to that, it appears, that the Fact concerning Mr. *Jones*, applying it to the Bishop of *Rochester*, of his being come to Town, is true; as to the Bishop's being come to Town only for a Day, that is not Matter of Fact, but of the Apprehension of the Writer: He apprehended, he was only come to Town for a Day, but he might be mistaken in that; but the Fact of his being come to Town is true, the Apprehension of the Writer that he came only for a Day, is false. But we must submit it to your Lordships; the Apprehension of the Writer is not sufficient to avoid the Truth of the Fact contain'd in that Letter, when we have prov'd, that my Lord Bishop of *Rochester* was in Town on the Day when Mr. *Jones* is mention'd to have been in Town in that Letter.

Another Letter, dated Thursday the 10th of *May*, 1722, *E.* 44, says, Illington *is gone into the Country, and sent me Word he would be in Town on Tuesday Night, when he hath desir'd to see me at a particular Hour, by which I conclude, it may be about Business.* and the Tuesday following that Thursday, happen'd to be the 15th of *May*. Another Letter *E.* 45, and dated the 14th of *May*, 1722, says, *Mr.* Jones *is still in the Country, but he hath sent me Word he will be in Town to-morrow.* My Lords, upon the Examination of the Coachman *Wood*, it doth appear, that the Bishop of *Rochester* was out of Town the 10th of *May*, out of Town the 14th of *May*, but that he came to Town the 15th of *May*, which is the Day mention'd in these Letters that he had promis'd to come to Town: So that here are additional Circumstances, all agreeing to prove, that the Bishop of *Rochester* was denoted by the Names of *Jones* and *Illington*. My Lords, this is not probable conjectural Evidence only, as has been objected.

These Letters contain Facts, and the Consequence from them is, that *Jones* and *Illington* is the Bishop of *Rochester*, in whom all these Facts agree. It is almost morally impossible, that all these Facts should agree in the Case of any other Person, as they do in the Case of the Bishop of *Rochester*.

It hath been argu'd, as to the Letters of the 20th of *April*, Was he the only Person that was in Pain and melancholy

lancholy Circumstances at that Time? A great many might be so. They go thro' the Particulars of his being in Town and in the Country; a great many Persons might be in Town and in the Country on those Days besides him. It is true, it might be so. Was there no Body whose Lady dy'd the Week before the 30th of *April*, but the Bishop of *Rochester*? Certainly there are a great many to whom that Circumstance may be apply'd. But my Lords, taking the Circumstances together, they cannot all of them concur in the Case of any other Person, as they do in the Case of my Lord Bishop of *Rochester*.

It may not be improper here to take Notice of some other of the intercepted Letters, that have been given in Evidence to your Lordships, which mention the Names of *Jones* and *Illington*.

In Mr. *Kelly*'s Letters, giving an Account of his being taken up, and his Examination before the Council, he takes Notice of his being examin'd concerning the Persons that were meant by several fictitious Names, and among the rest, *Jones* and *Illington*, who, he says, *are chiefly struck at*. This is to give an Intimation to his Correspondents abroad, that there had been a Discovery that the fictitious Names, concerning which he had been examin'd, were made Use of in their Correspondence. He comes afterwards and writes a Letter, after such Time as he was bail'd (he was taken the 19th of *May* and bail'd the 7th of *June*) wherein he says, *It is absolutely necessary now, that there should be a new Book of Accounts*; says he, *They must use no more their present Book of Accounts, since those who have got Part, may have got the Whole*.

My Lords, we humbly submit it, that it is a plain Owning of *Kelly*, by this Letter, that the Names inquir'd after, were the Names made Use of in the Correspondence, and therefore he says, *It is necessary to have a new Book of Accounts*, that is, other Cyphers, and fictitious Names, by which to carry on their Correspondence: He owns they have got Part, and fears they may have got the Whole. From that Time the Names of *Jones* and *Illington* are no more met with in the Correspondence that follows. We have gone no farther in our Evidence to fix any other Names to mean the Bishop of *Rochester*, but only the Names of *Jones* and *Illington*. But there are other Names which in the Letters that follow, probably are design'd to mean the Bishop of *Rochester*; but they will be out of the Case, because we have given no Evidence concerning them; and the

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plain Reason why *Jones* and *Illington* are not made Use of any longer, is because it appears on the Examination of Mr. *Kelly*, that those Names were mention'd; therefore they were afraid, by making Use of those Names, the Correspondence might be discover'd, and it might prejudice the Persons who went by those fictitious Names.

This is the Substance of the Letters writ to and from Mr. *Kelly* and his Correspondents, concerning the Person that goes by the Names of *Jones* and *Illington*. Tho' my Lord Bishop of *Rochester* insists, that he is not prov'd to be the Person concern'd in writing these Letters, and that he had no Notice of them, and therefore they ought not to be look'd upon as Evidence against him: We submit it to your Lordships, in a Correspondence of this Nature, when we pursue Facts and Circumstances that are stated, and arise from the intercepted Letters, which when they come to be apply'd together, are a plain Indication of the Person that is meant by them; when these Circumstances and Facts can fit none but the Bishop of *Rochester*, we hope, tho' it is not legal Evidence in *Westminster-Hall*, yet it is satisfactory Evidence to induce your Lordships to believe, and be convinc'd, that no Person can be denoted by these Names but the Bishop of *Rochester*. This is a Matter that the Bishop of *Rochester* could not, with all his Care, be aware of; he takes Care that the Letters of the 20th of *April* are in Cyphers, and not writ with his own Hand; fictitious Names are made Use of, and he thinks, he shall be shelter'd by this Means from being found out to be the Person. The other Facts could not be suppos'd would come out to explain the Person. But, my Lords, very often there is a Providence in detecting Things of this Nature, and where the greatest Caution and Care is us'd, Circumstances (that human Prudence could not guard against) are so strong and convincing, that they discover such secret Correspondence, and plainly prove who is the Person carrying it on. Since Texts of Scripture have been cited on the other Side, my Lords, I beg Leave to use one on this Occasion? and that is, *Curse not the King, no, not in thy Thought, for a Bird of the Air shall carry the Voice, and that which hath Wings shall tell the Matter.*

In these treasonable Conspiracies and Correspondences against the King and Government, (notwithstanding they are carry'd on so secretly, that the Conspirators think nothing can discover them) there happen sometimes,

since, through Providence, such Circumstances which the Persons cannot be aware of, that bring those Things of Darkness to Light; and we hope, this may be an Example, that may deter any Person from going in the most secret and conceal'd Way to engage in any thing of this Nature.

My Lords, there is a Matter I shall beg Leave to mention to your Lordships, because my Lord Bishop hath insinuated, as if I made hard and harsh Application of the Letter taken upon his Servant. My Lords, he says, that the Construction I put upon that Letter, was not a natural but an ill-natur'd Explication. The Letter mentions an Impeachment, and (says the Bishop, in the Letter) *If the Impeachment cannot be stopp'd, I am prisoner for some Years without Remedy.* My Lords, I did observe on that Expression in the Letter, that it seem'd to import a Sense of my Lord Bishop's Guilt, because he said, he was unavoidably a Prisoner for some Years. My Lord Bishop says, 'This is by no Means a natural 'but a forc'd and ill-natur'd Explication; for in that 'Place he meant no more than if an Impeachment were 'lodg'd, it would not be prosecuted, but made Use of only 'that he might be detain'd a Prisoner for some Years.

My Lords, I must submit it to your Lordships, which is the most genuine and natural Interpretation, that which I put upon the Words, or that which my Lord Bishop of *Rochester* doth; which so highly reflects on the Honour and Justice of your Lordships, and the House of Commons.

My Lords, I beg Leave in the next Place to take Notice of the Evidence that hath been given on the Behalf of my Lord Bishop of *Rochester*, and to consider, whether that is sufficient Evidence to satisfy your Lordships of his Innocence. My Lords, we did read the Examination of Mr. *Neynoe*, one of his Examinations, and the last that was taken; they on the other Side, call'd for three other Examinations, of which the last Examination, which we read, was an Abstract; they read them all, and, my Lords, the Examination which we read, was consistent with three other Examinations, with Relation to my Lord Bishop of *Rochester*; and I must own, that the Charge in the Examination of *Neynoe*, upon my Lord Bishop of *Rochester*, is only Hearsay from *Kelly*; that Mr. *Kelly* did tell *Neynoe*, that the Bishop of *Rochester* held Correspondence with the Pretender and his Agents; and that he was employ'd by the Bishop in

writing

writing for him, and carrying on the said Correspondences: So far my Lords, it is Hearsay, what Mr. *Kelly* told *Neynoe*. Now, as to Mr. *Kelly* himself, it did affect him by charging that he had confess'd to *Neynoe*, that he did carry on such a Correspondence; but as to my Lord Bishop, it cannot affect him but as Hearsay, and we must agree, that if there was nothing else in the Case but this, all the Arguments made Use of against such Evidence, would be of great Weight. My Lords, I can't say, that this Charge from *Neynoe*'s Examination is of Weight to charge the Bishop of *Rochester*, so as to condemn him. My Lords, they have urg'd, that if this Charge is not to be believ'd, all comes to nothing: This, say they, is the Foundation, and if *Neynoe*'s Examination is not sufficient to affect the Bishop of *Rochester*, then all the subsequent Evidence falls to the Ground.

I beg Leave to observe first, that if we had not *Neynoe*'s Examination, the Proof against my Lord Bishop of *Rochester* is as strong without it as with it; it is certainly Evidence of the Conspiracy in general, but as to the Bishop, it is only a Circumstance to shew, that another Man had said of the Bishop of *Rochester*, that he was carrying on a Correspondence with the Pretender, &c. But taking the Examination of *Neynoe*, out of the Case, and considering the other Facts mention'd and prov'd to your Lordships, there is no Occasion of *Neynoe*'s Examination; whether *Neynoe*'s Examination be false or true, is not material; There is sufficient to prove the Bishop of *Rochester* guilty, for they can't destroy the other Facts and Circumstances; and as long as they subsist, they prove the Bishop of *Rochester* to be the Person concern'd in carrying on this Correspondence.

I beg Leave to observe in *Neynoe*'s Examination, there is something more than Hearsay, there is a Fact in it, and we are able to support that Fact by other Evidence. *Neynoe* says, that he hath gone several Times with *Kelly* to the Bishop of *Rochester*'s, and hath staid a considerable Time for him. My Lords, we shall prove by another Witness, that *Neynoe*, about that Time, came several Times to a House, where he said, he waited for a Friend of his that was gone to the Bishop of *Rochester*'s, and he staid and waited for him three or four Times, for an Hour, and an Hour and Half together. This will confirm what *Neynoe* said in that Respect to be true.

They

They say there are several Improbabilities and Inconsistencies contain'd in *Neynoe's* Examination; to the Improbabilities, some of them are mention'd as if there was great Weight in them. That so much insisted on by my Lord Bishop himself, is, that *Neynoe* says, he was employ'd to write Memorials; and the last he wrote, was in *December*, and that was to desire the Regent of *France* to furnish a Body of 5000 Men, to come and invade these Kingdoms: The Observation made by the Bishop of *Rochester* is, where are these Memorials? Why did he not keep Copies of them? For he was at that Time concern'd in a Design to serve himself one Way or other; if he design'd to betray those Persons he corresponded with, it would have been of Service to have kept those Memorials, to have deliver'd them to the Government. If on the other Side, he had kept to his Friends, it would have been proper to have kept them, in order to create a Confidence in him, and to shew the Part he had in the Conspiracy. These Observations can have no Weight, when your Lordships come to consider this was in *December*, and there was never any Application by him to make any Discovery of this Conspiracy 'till *July* following. As to the Service it might be to keep them with Respect to his Party, my Lords, we humbly apprehend, that considering him a Man engag'd in a Correspondence of this Kind, a Memorial of this Nature drawn up by him can be of no Use, but to detect himself and injure his Party, if he happens to be taken up, and such a Memorial found upon him; therefore it was necessary to destroy it.

My Lords, there is another Thing mention'd with Relation to *Watson*, and the Improbability of his being the Earl *Marischal*; but *Neynoe* does not say that he was the Earl *Marischal*, but says, there was one *Henry Watson*, which he took to be a fictitious Name, and does not know who he really was, but he took him to be the Earl *Marischal*, and he gave him the Heads to draw up these Memorials. We apprehend, it is not material who *Watson* was; he is a Person that employ'd *Neynoe* to write these Memorials, and he might be the Earl *Marischal*; *Neynoe* says he took him to be so; say they, if it was the Earl *Marischal*, why should he lie several Nights with *Neynoe*, this, say they, is very improbable, If it was him, he was to conceal himself, and take the fittest Place for that Purpose; therefore converfing with *Neynoe*, and not owning himself who he was, is not improbable. It is probable,

bable, he would not discover himself to every Person? and tho' *Neynoe* was a Person engag'd in the Conspiracy, if *Neynoe* did not know him to be the Earl *Marischal*, it might not be proper for him to discover himself to *Neynoe*. I think these are the principal Things objected; there are some other little Matters, but I think, dwelling on such Objections as these, is but mispending your Lordships Time.

My Lords, that which we humbly insist upon, is, whether *Neynoe's* Examination is an Examination to be credited or not credited? We agree it is only Hearsay, as to the Bishop of *Rochester*, and if we had not other Matter, it would not be sufficient; so that we apprehend, its being true or false won't affect this Case. If your Lordships are of Opinion 'tis false, there is sufficient Evidence against the Bishop of *Rochester* without it.

In the next Place, they have produc'd in Evidence several Persons that come and give your Lordships an Account of *Neynoe's* Confessions to them. There is one Mr. *Bingley*, Mr. *Steward*, and Mr. *Skeene*; and two other Persons, that give an Account of what Mr. *Skeene* and *Steward* had told them, Mr. *Neynoe* had said. *Bingley*, by his Evidence would have it believ'd, that *Neynoe* had told him, he was employ'd by some Person in Power, to fix several Things upon several Persons that they were innocent of; that he had said several Things that were false, and had impos'd upon a Great Man he had made Application to, and had got great Sums of Money out of him.

My Lords, I don't know how far they would carry this, for by what hath been insisted upon by my Lord Bishop of *Rochester* and his Counsel, it should seem as if they were labouring to shew from these Persons that they have call'd to be examin'd, that all the Letters, relating to this Correspondence, the Letters of the 20th of *April*, and subsequent Letters, that relate to the particular Facts that denote *Jones* and *Illington* to be my Lord Bishop of *Rochester*, were contriv'd between *Neynoe* and some other Persons, in order to charge my Lord Bishop of *Rochester* with being concern'd in this Conspiracy. This seems to be what they are labouring at by this Evidence.

My Lords, as to *Neynoe's* being a Person employ'd in writing these Letters of the 20th of *April*, or any subsequent Letters, in Manner as is suggested, we shall

shew your Lordships that it's impossible to be true; we shall shew, that the Letter of the 20th of *April*, and all the other Letters that mention the Facts which detect the Bishop of *Rochester*, were all intercepted, and in the Hands of the Government, before such Time as it was known among the Ministry that there was such a Person as *Neynoe*. For *Neynoe* made Application to the Honourable Person mention'd by their Witnesses, subsequent to all this Correspondence, when these Letters were in the Hands of the Government, as a Person that could make Discoveries to the Government. Therefore that Insinuation must vanish, that *Neynoe* was employ'd to forge Letters which contain Facts under the Names of *Jones* and *Illington*, to charge the Bishop of *Rochester*; and that even those Letters of the 20th of *April* were forg'd by him.

We shall go into the Character of Mr. *Bingley*, who hath at your Lordships Bar, own'd, that he hath been whipt, pillory'd, and imprison'd; and as he hath taken his Degrees as he own'd at your Lordships Bar, consequently he hath taken the Oaths.

Mr. *Skeene* hath likewise been produc'd as a Witness, and he carries his Evidence farther than Mr. *Bingley*; for whereas Mr. *Bingley* says, that *Neynoe* confess'd he had impos'd upon that Honourable Person, and had mention'd Things that were false; yet he could not say, that after the Time of his Examinations, after *Neynoe* was brought from *Dover* to Town, he had confess'd to him that what he had said on those Examinations, was false: But *Skeene* says, that after his Examinations, he own'd that they were false. The last Examination was the 27th of *September*, and he was drown'd that Night; but as to the Examination, before the 27th of *September*, and out of which that is collected, Mr. *Skeene* says, *Neynoe* said to him, that they were false.

My Lords, as to Mr. *Skeene*, we shall shew what Sort of a Man he is, a Man attainted of High Treason; and though he is pardoned, as to his having his Life and Liberty given him, he is, in all Respects an attainted Person: He was try'd and condemn'd in the County of *Surrey*, for being concern'd in the *Preston* Rebellion, and consequently a Man of no Credit. And as to what he and *Steward* Swear, relating to a Conversation with *Neynoe*, when in Custody, we shall shew, they never were together after the first Night, when they supp'd together.

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He was ask'd, whether it was the first Night that he had this Conversation with *Neynoe*, and he did not pretend he had any Conversation of this Nature with *Neynoe* the first Night; and if it was not the first Night, we shall shew, it could not be afterwards, for *Neynoe* was kept in a Room by himself, *Sheene* and *Steward* by themselves in a Room underneath; and therefore this seems to be a Story contriv'd between *Sheene* and *Steward*.

We shall shew, it could not be possible for them to converse together, for *Sheene* and *Steward* were lock'd up in their Room; *Neynoe* was lock'd up in his Room separate and apart from theirs; so that they could never have Correspondence with him, nor come near him.

Another Thing is sworn by one of them, about a Message sent to him by *Neynoe*, and a Paper, while they were in Custody of the Messenger; and he says, this Paper was brought to him by the Messenger's Maid from *Neynoe*, and that this Paper contain'd a Justification of my Lord *Orrery*, expressing that he knew nothing of my Lord *Orrery*, but what he said of him was utterly false; that the Messenger finding he had some Paper, he, to conceal this Paper, burnt it: But that the Maid came to him with such a Message or Paper, is false, the Maid never did, nor did the Messenger know of the Paper, as we shall prove to your Lordships: And when we have prov'd this, we humbly apprehend, we have taken off any Credit that could be given to what these People have said, if they have said any thing material. My Lords, before I leave this Head, I beg Leave to observe another Thing as to *Sheene*. He, upon his Examination concerning a Discourse with *Pancier*, denies it entirely, but says, that what *Pancier* hath inform'd in Relation to him, is false. We shall call *Pancier*, who will inform your Lordships, that *Sheene* hath own'd, that he was privy to this Conspiracy, and knew who were concern'd in it.

I own, there are several noble Persons nam'd to be concern'd, that there is no Reason to say, from what *Sheene* may have said of them, that they are guilty: But such as he may have us'd the Names of Great Persons, designedly to keep up the Spirit of their Party, by telling them such and such Persons were concern'd; and if there is no other Evidence but what such a Person

hath said, the noble Persons mention'd, will not be affected by it.

There is another Head I shall beg Leave to mention, that they would have it taken that there was a Design to forge Letters, in order to charge my Lord Bishop of *Rochester*, and several other Persons. Say they, it was easy to get Information of such Circumstances relating to the Bishop and his Family, as are mention'd in the intercepted Letters, and then to write such Letters with a Design falsely to charge the Bishop with having been concern'd in carrying on a treasonable Correspondence. Your Lordships will please to consider who this Charge must fall upon of forging the Letters of the 20th of *April*, or the Letters that shew *Jones* and *Illington* to be the Bishop of *Rochester*.

My Lords, we have prov'd them all to be Mr. *Kelly*'s own Hand-writing, or Letters that have come in Answer to them. They have objected, we have not given sufficient Proof of *Kelly*'s Hand; say they, it is prov'd by Clerks of the Post-Office, who never had compar'd one original Letter with another; but at last they stopp'd an original Letter, dated the 20th of *August*, after the Correspondence had been carry'd on several Months; and then come and swear, that the original Letters that were forwarded, were of the same Hand-writing with that of the 20th of *August*. Can this be look'd upon as sufficient Proof? But we submit it, their Evidence is much stronger than if they had only compar'd one Letter with another; for they not only had these Letters come every Week, but they were employ'd every Time these Letters came, to copy them; so that the Hand-writing of these Letters must by the constant stopping of these Letters, and their copying of them, be so imprinted on their Memory, that they are much better Judges of the Hand, than if they had two of these Letters to have only compar'd them together: And the Hand-writing was so well known to them, that they could, as they have inform'd your Lordships, when any of these Letters came, distinguish them by the Hand-writing of the Superscriptions, before they had opened them, and they were never mistaken: And this we humbly apprehend, is as satisfactory an Evidence as can be given that these Letters were the Hand-writing of Mr. *Kelly*, provided, the Letter of the 20th of *August*, which I shall take Notice of by and by, is sufficiently prov'd to be of his Hand-writing. Taking it then, my Lords, that

hat these Letters are the Hand-writing of Mr. *Kelly*, nd of his Correspondents in Answer to them, I don't ind that my Lord Bishop of *Rochester* hath charg'd Mr. *Kelly* with having any Malice to him: And if he had o Malice to the Bishop of *Rochester*, what should induce him to write those Letters, on purpose to charge the Bishop of *Rochester* with being concern'd in this Conspiracy?

My Lords, we humbly apprehend, the Pretence of these Letters being forg'd, must insinuate, that *Kelly*, a ile Fellow, intending to charge the Bishop of *Rochester* with being concern'd in this Conspiracy, and make him liable to forfeit every thing that was dear to him, ath contriv'd Letters containing Circumstances, in order to fix him to be the Person denoted by the Names f *Jones* and *Illington*; he hath written Letters, and by Combination receiv'd others in Answer to them, for this urpose; and by these wicked and malicious Practices, ath furnish'd this Evidence against the Bishop, who is n innocent Man. This is the Substance of the Defence n this Head, and whether your Lordships will believe his, we must submit to your Lordships. Your Lordships have had *Kelly* before you, and by his Behaviour ave had no Reason to think that he had any Malice gainst my Lord Bishop of *Rochester*, or any Intention to rejudice him.

The next Part of the Evidence I shall beg Leave to bserve, is a Part very considerable, and so far from eing a Defence, that the Defence attempted hath conrm'd and strengthen'd the Evidence against my Lord ishop of *Rochester*; that is, with Relation to the Letr taken among my Lord Bishop's Papers, directed to *Dubois*; a Letter, which they observe, don't contain ny Treason, or is of any treasonable Import; but it eems to be a Letter of Indifference, and I believe, as uch, it was not taken Care to be destroy'd, as it would ave been, had there been any Apprehension that Use ould have been made of it, as now, against the Bishop f *Rochester*. The Use we make of it is, to shew that Mr. *Johnson*, or Mr. *Kelly*, was a Person employ'd by my ord Bishop of *Rochester* in writing Letters for him. My Lords, your Lordships will observe by the Letr, he says, *I have heard nothing from you since the Letr I had about two Months ago by Mr.* Johnson, *to hich I immediately in his Hand returned my Answer.* If his is the Bishop of *Rochester*'s Letter, either in his

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own Hand, or his Letter writ by another Person, plainly proves what we infer from it, that *John* i. e. *Kelly*, writ for the Bishop. Your Lordships will observe, it is a Letter writ in a Hand which no Man writes, a stiff Hand almost like Print; and it is plain that it is writ to disguise the Hand of the Writer, whoever he was. At the latter End of the Letter, where the Person that writ it comes to be tired and off his Guard, there are several Letters which, compared with the writing of my Lord Bishop of *Rochester*, and which is own'd to be his, appears to be his writing. In the Date of the Letter, which is *December*, the D you frequently find in the Bishop's Hand-writing; your Lordships observe, the Letter E that frequently occurs in the Bishop's Writing; and your Lordships by comparing that with the Letter produc'd, will find that they exactly agree. Whether or no your Lordships won't think it on those Circumstances, to be the writing of my Lord Bishop of *Rochester* in a disguis'd Hand, we must submit to your Lordships. But, my Lords, suppose it was not his Hand-writing, here is Evidence that it was his Letter; and that is evident, because it is under his Seal, it is seal'd with his own Seal, a Seal that he had in his Custody, and made Use of no longer ago than the 26th of *February* last: I think that is the Day a Letter was taken from his Servant. This Matter has been controverted by my Lord Bishop. He hath call'd Engravers, who believe Seals may be counterfeited, and Impressions may be taken off the Wax, and another Impression made, so as to make it difficult to know which is which: They were a little loose in answering the Question, Whether or no, if the Seal from whence the Impression was to be taken, was broken in the Middle it could be done. But one said, the Seal might be mended, and it might pass unobserv'd; but I find it is extreamly difficult. But they did say, Seals may be so counterfeited, that it may be difficult to discover one from the other. My Lords, this is to insinuate, that after such Time as the Letter was taken upon my Lord Bishop's Servant, the Person in whose Custody the other Letter of *Dubois* was (which is prov'd to have been taken the 24th of *August*, amongst the Bishop's Papers) hath caus'd an Impression to be taken off the Seal with which the Letter to *Dubois* was seal'd, (the Wax broken in two, as it was, in order to fix it upon the Letter that was taken upon my Lord Bishop's Servant

nt, so to prove the Letter to *Dubois* to be the Bishop's tter. Who is this to be fix'd upon? *Neynoe* was gone; on't know, unless upon the Committee of the House Commons; for the Bishop's Letter was taken on his rvant the 26th of *February*, the Committee of the use of Commons made their Report on the 1st of rch, and the Letter to *Dubois* had long before the h of *February*, been in Custody of that Committee. d yet while this Letter is in Custody of a Committee the House of Commons, they will have it, here is Impression taken off a broken Seal, and put on this o- r Letter, in order to shew that these are Letters the same Person. Who can believe this to be the se?

An Observation hath been made, that truly the Com- ttee of the House of Commons have not made any servation of this Kind, with Relation to this Let- r to *Dubois*, that it is the Bishop's Letter, which is s; for they had not this Matter relating to the I- ntity of the Seals, under their Consideration; but this a new Discovery made since: And therefore, my rds, they apprehended, that this was a Letter di- cted to the Bishop by the Name of *Dubois*, it being nd amongst his Papers; and nothing to the con- ry did appear, 'till after they had made their Re- rt. There are other Things your Lordships would ve expected to have had an Account of in Answer this Evidence. Here is a Letter found amongst my rd Bishop's Papers, consequently so far we apprehend, s Evidence is a legal Evidence against the Bishop, being a Letter found in his Custody: This Letter directed to *Dubois*, and mentions the Hand of *John-*. Doth my Lord Bishop of *Rochester* give any Ac- unt who *Dubois* is? Who this *Johnson* is? How this tter came there? No, my Lords, none at all. Doth s Lordship give you any Account of the Seal? And th his Lordship said, that the Seal that seal'd the tter taken on his Servant, he hath not? Or that the tter was not seal'd with his Seal, or that he did not l it himself? His Lordship did not say one Word to at Purpose, or make any Denial of the Matter, nor ve your Lordships any Account who *Dubois* and *nson* were; nothing at all, but hath left it to your rdships on that Foot? that the Letter to *Dubois* had Impression taken off, after it was in the Custody of e Committee of the House of Commons, and that Im-

pression

pression made Use of on the other Letter; and th this is another Part of the Contrivance in order charge my Lord Bishop of *Rochester* with being concern in this Conspiracy.

As to the Seal's being the same on the two Letters, humbly apprehend, the Evidence given on the oth Side, hath strengthened ours. We have produc'd tw Engravers, one of them they own to be the top E graver of *England*, Mr. *Christian*; he gave your Lo ships an Account, that he verily believ'd these two im pressions to be taken off from the same Seal. Mr. *Ro* said the same Thing, and that he had us'd the A long, and could judge. They made no Endeavours the other Side to try the Skill of Mr. *Christian*; as to Mr. *Rollus*, they hop'd they should be able to pu zle him; and therefore have produc'd six several im pressions made on Wax by Seals to try his Art; a after he had look'd upon them, he gives you such Account, that I believe your Lordships are satisf that he is a Man of Skill and Art, and that if th Impressions had been taken off, as they would insinu they were, he must have discover'd it. My Lords, he is an Artist brought to make this Experiment on *Rol* to try his Skill; yet notwithstanding all the Art h been made Use of in the Case, that could be, the M was able not only to distinguish how many Seals the im pressions were made with, but also to give an Acco that they were cast Seals, and not grav'd Seals, that m those Impressions. This will have such a Weight w your Lordships, that we hope your Lordships will b lieve his Evidence is true; and if it is true, what A swer hath been given it, your Lordships have he Whether therefore any satisfactory Answer hath be given to an Evidence so strong and convincing, of *Jo son*'s being employ'd in writing Letters for the Bis of *Rochester*, we must submit to your Lordships.

The next Evidence they went upon, was in Relati to the Dog: Say they, we will shew that this Dog w not for the Bishop of *Rochester*, or any other Person b Mrs. *Barnes*. As to that, I beg Leave to remind y Lordships of the Evidence given by Mrs. *Barnes*, th Mr. *Kelly* told her, it was for the Bishop of *Roche* It is a little improbable, if the Dog had been for M *Barnes*, that he should come and deliver it to her, a tell her 'tis for the Bishop of *Rochester*. But it appe by Mrs. *Barnes*, that another Dog was design'd for h

and that this Dog was for the Bishop of *Rochester*. They have read in Evidence a Certificate, sign'd by Mr. *Bir-mingham*, and likewise an Affidavit, that there was in the Month of *March* a Dog deliver'd to *Kelly* in *France*, for Mrs. *Barnes*. That, my Lords, must be another Dog, and not this, which we say was for the Bishop of *Rochester*; for this was not deliver'd to Mr. *Kelly* in *France*, but was sent over to him after he was in *England*, as appears by the Letters; and after he had receiv'd it, he writes, that *he would inform* Mr. Jones *soon of it, to whom any thing from that Quarter would be very acceptable*. So that, if there was another Dog, and by Mr. *Kelly* design'd for Mrs. *Barnes*, we humbly apprehend it cannot be applied to this; for this Dog was design'd for Mr. *Jones*, and Mrs. *Barnes* says, that is the Bishop of *Rochester*.

The next Evidence given by them is in Relation to the Letters of the 20th of *April*. They have endeavour'd to prove that, as to my Lord Bishop of *Rochester*, it is impossible that these Letters could be writ-ten or dictated by him. He came to Town the 14th, and went to *Bromley* again the 12th of *April*; he had a Fit of the Gout soon after; had Servants that constantly attended him, more than one; and these Servants give an Account, that no Person whatsoever came near him, or could be employ'd by him to write those Letters.

I beg Leave to observe, first, that as to the applying their Evidence to the writing of those Letters on the 20th of *April*, it is very possible that the Letters were writ on another Day than when they bear Date: Therefore if they prove, that it was impossible that these Letters should be writ or dictated by the Bishop of *Rochester* on the Day they bear Date, yet they might be writ on another Day, and it is very probable they were. Your Lordships will observe, that these Letters are in Cyphers; and, I believe, where a Person dictates a Letter to another, he doth not reduce the Letter into Cyphers as it is dictated, but he first writes it out in Words at length, and afterwards puts it into Cyphers, and when it is proper to send it, then is the Time to date it; and if it be left with the Person that puts it into Cyphers, to send, as probably it was in this Case, it is left to him to date it when he pleaseth: So that, if they should have shewn, that upon the 20th of *April* the Bishop was incapable of dictating or writing, it is

no conclusive Answer to the Charge against the Bishop as to these Letters. Your Lordships will please to observe, that upon the 11th of *April* the Bishop of *Rochester* came to Town, and on the 12th he went into the Country; notwithstanding what they have attempted to prove as to the Times that *Kelly* was in Town, and the Bishop was in the Country, yet upon the 11th and 12th they were both in Town; for *Kelly* came to Town from *France* the 11th, and the Bishop came to Town the 11th, from *Bromley*. When the Servants came to be examin'd what Time of the Day the Bishop came to Town on the 11th, they could not give any Account of that; when they were asked, What Time of Day it was when he went out of Town on the 12th, they could give no Account of that. There hath been no Account given to your Lordships, who was with the Bishop of *Rochester* the 11th and 12th, when he was in Town, or where my Lord Bishop was at that Time. So that, my Lords, it is possible from these Circumstances, that these Letters might be writ when the Bishop was in Town, and *Kelly* was in Town. But suppose it should not be so; the Question is, Whether they could not be writ at *Bromley*. On the 12th of *April* Mr. *Kelly* was at Mrs. *Barnes*'s, he did not lie at Home that Night; on the 13th he did not lie at Home; on the 14th he came, and went to his old Lodgings at Mrs. *Kilburne*'s. These two Nights it doth not appear where he was; he might have been at *Bromley*, it is but an Hour's Ride. As to the Servants, say they, they should have remember'd his setting up his Horse; — He might set up his Horse at an Inn, and go privately to my Lord Bishop. Notwithstanding my Lord Bishop was ill, and though he should have proved that after he was so, he did not nor could admit of Company; yet we submit it to your Lordships, that it is no Answer; for he was not very bad 'till he had been in the Country two or three Days, and these Letters might be dictated or written in those two or three Days before he was so ill. I beg Leave to observe, what the Servants have sworn. Here is *Grant*, that is my Lord's Butler, he says, that my Lord Bishop went the 12th of *April* to *Bromley*, and he attended him there 'till the 21st, and on the 21st he was sent to Town upon some Matters relating to the *Westminster* Election; and another Servant about him gives an Account, that two or three Days after my Lord Bishop came down, he was taken so ill in his

Hands and Feet, as not to be able to help himself. ——These are two or three Days beyond the Time that *Kelly* was out of his Lodging, which was the 14th and 13th (and these two or three Days must be the 14th and 15th) It may be my Lord Bishop was so disabled, indeed, as he says: He says he is almost certain that no Stranger was with the Bishop; but, he says, the Apothecary or the Minister might be with him in his Illness, though he did not see them himself. If it is possible for the Apothecary and the Minister to be with him, and he not see them, why is it not as possible that Mr. *Kelly* might be there, and he not see him there?

The next Witness that is called, only speaks to the 18th and 19th; when *Grant* came to the Election another Servant was sent for, and he went, and he says my Lord Bishop was very ill. *Samuel Steele* gives an Account of my Lord Bishop's Illness, and his attending him. They have brought all the Servants of the House, the very Stable Boy, to prove that my Lord Bishop could not see any Body without their Knowledge; even the Nurse that attended his Lady when she was dying. The Servants that were waiting upon his Lady swear, that it was impossible any Body could come to my Lord Bishop, and they not know it; and they are as positive in Relation to any Body's coming to my Lord Bishop, as the Servants that immediately attended him. But there is a Matter which we shall offer in Evidence, that intirely destroys this Evidence of my Lord Bishop's being so ill, that he could not move Hand or Foot, and of his not being in a Capacity of dictating Letters: That he did actually send a Letter the 21st of *April* to a Person in Town; and this very *Grant*, that hath given this Account to your Lordships, brought up the Letter to Town on the 21st of *April*. We have this to give your Lordships in Evidence; then what is the Evidence of all those Servants, who swear, that it is impossible these Letters should be writ on the 20th of *April*, and that no Body was admitted to come to him, in order to write these Letters?

My Lords, as to the Evidence that hath been given, in Relation to *Kelly*'s Hand-writing, they have called Witnesses to disprove the Evidence on our Side, who, looking upon the Letter of the 20th of *August*, swear they do not believe it to be *Kelly*'s Hand-writing. Our

Witnesses do believe it; their Witnesses do not believe it to be his Hand writing, and say, that it is not like it. There are several Letters shown them, tho' in a less Hand, that are agreed to be *Kelly*'s Hand-writing; and your Lordships may judge, by looking on them, whether they are not of the same Hand with the Letter of the 20th of *August*: Besides, there are those Circumstances relating to the Hand-writing of Mr. *Kelly*, that put it beyond all Dispute that it is his Hand, and that it the Answers he hath received to those Letters which we charge to be written by him. We have traced him from Place to Place, where the Letters that came in answer to his Letters, were directed: To Mr. *Andrews* at the *Dog* and *Duck*, there *Kelly*, employ'd a Person to take them up, and they were deliver'd to him; and at *Burton*'s Coffee-House *Kelly* took up the Letters that were directed thither, in answer to those Letters that were of his Hand-writing: So there is not only the Evidence of Witnesses, that knew his Hand, and believe it to be his Hand, but here is the Answers to them actually taken up by *Kelly* himself: And that we humbly apprehend is so strong an Evidence, joined with the other, that, when one or two Witnesses come and say, they do not believe it to be his Hand-writing, their Testimony shall not overthrow it.

My Lords, there is another Piece of Evidence given by them, relating to the Letters of the 20th of *April*, which were inclosed in a Packet sent to *Bologne*; the Packet is directed to Mr. *Alexander Gordon*, Banker at *Bologne*; they have produced a Certificate from *Bologne* upon Oath, wherein it is said, that he is no Banker, and denies that he received any Packet from *Kelly*, or that he knew him: This is a Certificate, and proved by a Person who believes it to be so. Your Lordships will please to observe, what this Paper is, and that it is brought here by a Person that knows nothing of its being sworn, but says, he is used to Transactions of this Kind, and he believes it to be a Certificate from *Bologne*. My Lords, we shall produce a Gentleman who was at *Bologne* at the Time that the printed Report and Appendix of the House of Commons came there, and he was at Mr. *Gordon*'s House, when they were discoursing about this Matter; and what they then said, we humbly submit will be believed; for what they then said was spoken as of an indifferent Thing,

and

d they did not then see it could be of any Conse-
ence to disguise the Truth. Mr. *William Gordon*, the
ther, said, that he was at *Paris* when this Packet is
pposed to have come; but Mr. *Alexander Gordon*, the
n, own'd, that he was at Home, and that this Pac-
t came to him; but, said he, what was in it I know
t, but I delivered it as is mentioned in the *Appen-*
x.

There is another Piece of Evidence they have given,
th Relation to *James Talbot*, to whom the Packet was
liver'd at *Bologne*. Here is a Witness produced to
ove, that he was in Town the 29th of *April* 1722, and
could not be mistaken, because he had paid him
oney, and he had enter'd it in his Book. The Evi-
nce goes no farther than to prove, that one *James*
lbot, that was a tall black Man, was then in Town;
t it doth not appear, that this was the Person men-
ned to have taken this Packet at *Bologne*, and carry'd
to *Paris*; so that their Proof, as to this Matter, is
sufficient. But we shall shew your Lordships, from an
ccount we have here from Mr. *Crawford*, his Majesty's
esident at *Paris*, that this *James Talbot* came to *Paris*
at very Day as he is mentioned to have brought those
etters to *Paris*, and was actually there at that Time;
d that we humbly apprehend will be a full Answer to
em, and take away any Ground of Supposition, that the
vidence they have given concerning *James Talbot*, can
e apply'd to that *James Talbot* who received the Packet
Bologne.

As to the Evidence relating to Mr. *Kelly*'s being in
own the 20th of *April*, we humbly apprehend from
hat has been said, it is not material whether he was
ere or not; but they have not proved it, for Mrs.
ilburne and her Maid, the two Witnesses produced by
em for this Purpose, say, that he came to Mrs. *Kil-*
rne's House the latter End of *April*, they believe the
th, but they are not positive as to the Day. If he
d been at Mrs. *Kilburne*'s the 20th of *April*, it is no
nswer at all to our Evidence, and the strong Circum-
nces there are to induce a Belief, that the Letters
ight be dated at another Time than really they were
ritten.

My Lords, another Evidence is Mr. *Pope*, a Gentle-
n of Learning, with whom my Lord Bishop of *Ro-*
ster used to converse; and he gives you an Account,
hat he knew nothing of this Conspiracy, that the

' Bishop

'Bishop never open'd his Mouth to him about it, nor 'acquainted him with it; that he was frequently with 'him, and their Discourse was only about Matters of 'Literature. No doubt my Lord Bishop hath conversed with Persons on different Subjects, to whom he would communicate nothing of an Affair of this Nature.

Upon the whole Matter, we must submit it to your Lordships, whether we have not made out the Charge against my Lord Bishop of *Rochester* to your Lordships Satisfaction, if not by legal Evidence, yet by Evidence that will satisfy and convince any Person that will consider it. My Lords, a great deal of Regard is due to the Character and Function of the Reverend Prelate at the Bar; but if my Lord Bishop of *Rochester* hath departed from his Character and Function, and hath gone and engaged in a traiterous Conspiracy, and been guilty of Treason towards his King, and Perjury towards his God, we humbly apprehend, if this be proved, that his Character and Function are so far from being a Mitigation, that they are a great Aggravation of his Crime. We shall submit it to your Lordships to do what your Lordship's think consistent with Justice and Equity.

Mr. *Reeves* having thus made an End of his Reply, Mr. *Wearg*, the other Counsel for the Bill, made a long Speech on the same Side; but what was most remarkable in this Day's Proceeding, was this; the Bishop of *Rochester* and his Counsel, having much insisted, and endeavour'd to prove, that he did not dictate the treasonable Letters in Question, because at the Time they were supposed to be written, and for some Time, both before and after, *he was disabled in his Chamber*; Dr. *John Wynne*, Bishop of St. *Asaph*, acquainted the House, that at that very Juncture of Time he had received a Letter from the Bishop of *Rochester*, and of his own Hand-writing. This voluntary Evidence of a Person of so venerable a Character, made a visible, but different Impression on the whole Assembly, and did no less spirit and glad the Bishop's Enemies, than abash and grieve his Friends. But the Bishop himself, conscious of his Innocence in this Respect, rather fir'd with Indignation than daunted by so unexpected a Charge, absolutely deny'd the Fact, challeng'd his Accuser to prove it, and offer'd to put the whole Trial upon that single Point.

The

The Bishop of St. *Asaph* still affirm'd that he receiv'd a Letter which he took to be written by the Bishop of *Rochester* himself, from the Hands of one of his Servants, then at the Bar; but being somewhat perplex'd as to the Hour, and the Day; and at the same Time, contradicted by *Grant*, the Bishop of *Rochester's* Servant, the Prisoner, in an exulting Manner, press'd his Accuser to produce the Letter in Question: Which the other not being able to do, the Bishop of *Rochester* severely animadverted upon him, for being so forward to give such rash Evidence, and for endeavouring to fix Perjury upon a Man of his holy Function. This unlucky Affair being over, the Lords in a grand Committee, went through the Bill *for inflicting Pains and Penalties on* Francis *Lord Bishop of* Rochester; and about Ten a-Clock in the Evening, adjourn'd to Wednesday the 15th of *May*.

Their Lordships being then sat, the said Bill was read the third Time, and a Motion being made, that the Bill should pass? It occasion'd a very warm and long Debate. The Speakers for and against the Bill, were as follows, the Numerical Figures shewing the Order in which they spoke:

Against the Bill.	*For the Bill.*
1 Earl *Poulet*	2 Lord Bp. of *Salisbury*
3 Lord Bishop of *Chester*	4 Lord Bp. of *London*
5 Duke of *Wharton*	9 Earl of *Finlater* and *Seafield*
6 Lord *Bathurst*	10 Duke of *Argyle*
7 Earl of *Strafford*	12 Lord *Lechmere*
8 Lord *Trevor*	14 Earl of *Peterborow*
11 Lord *Gower*	15 Earl of *Cholmondley*
13 Earl *Cowper*	

The Earl *Poulet*, who open'd the Debate, spoke to the Nature of this Bill, shew'd the Danger of such an extraordinary Proceeding, and urg'd, that the swerving from the fixed Rules of Evidence, and consequently from Justice, must inevitably be attended with the mortal Consequences to our excellent Constitution. The Lord Bishop of *Salisbury*, in Answer to that, alledg'd, that as extraordinary Diseases require extraordinary Remedies, so in Cases of extream Danger and Necessity, when the very Being of the State lies at Stake, if the common Law cannot reach great Offenders, the Legislature ought to exert itself. He was reply'd to by the

Lord

Lord Bishop of *Chester*, who own'd, that extraordinary Proceedings may, indeed, be recurr'd to, upon extraordinary Occasions, and when they are evidently necessary for the Preservation of the State; but that was very far from the Present Case; since the Conspiracy, of which the Bishop of *Rochester* was charg'd to have been a Shave, had been discover'd and disappointed long before. He was answer'd by the Lord Bishop of *London*, to whom the Duke of *Wharton* reply'd in a long Speech, wherein his Grace, with a great deal of Skill, Judgment, and Oratory, summ'd up the whole Evidence that had been produc'd against the Bishop of *Rochester*, and endeavour'd to shew the Insufficiency of it, to prove the Charge: Concluding, 'That let the Consequences be what they would, he would not have such a hideous Stain sully the Lustre and Glory of that illustrious House, as to condemn a Man without the least legal Evidence.' And so he was for rejecting the Bill. His Grace was strongly supported by the Lord *Bathurst*, who in the first Place, took Notice of the ungracious Distinctions that were fix'd on the Members of that Noble and Illustrious Assembly, who differ'd in Opinion from those who happen'd to have the Majority; that for his Part as he had nothing in View but Truth and Justice, the Good of his Country, the Honour of that House, and the Discharge of his own Conscience, he would freely speak his Thoughts, notwithstanding all Discouragements; That he would not complain of the sinister Arts that had been us'd of late to render some Persons obnoxious, and under Pretence of their being so, to open their Letters about their minutest domestick Affairs. For these small Grievances he could easily bear; but when he saw Things go so far, as to condemn a Person of the highest Dignity in the Church, in such an unprecedented Manner, and without any legal Evidence, he thought it his Duty to oppose a Proceeding so unjust and unwarrantable in itself, and so dangerous and fatal in its Consequences. To this Purpose, he begg'd Leave to tell their Lordships a Story he had from several Officers of undoubted Credit, that serv'd in *Flanders* in the late War. A *Frenchman*, it seems, had invented a Machine, which would not only kill more Men at once, than any yet in Use, but also disable for ever any Man that should be wounded by it. Big with Hopes of a great Reward, he apply'd to one of the Ministers, who laid his Project before the late *French* King; but

that Monarch considering that so destructive an Engine might soon be turn'd against his own Men, did not think proper to encourage it; whereupon the Inventor came over into *England*, and offer'd his Service to some of our Generals, who likewise rejected the Proposal with Indignation. The Use and Application of this Story, added his Lordship, is very obvious: For if this Way of Proceeding be admitted, it will certainly prove a very dangerous Engine: No Man's Life, Liberty, or Property will be safe: And if those who were in the Administration some Years ago, and who had as great a Share in the Affections of the People as any that came after them, had made Use of such a political Machine, some of those Noble Persons who now appear so zealous Promoters of this Bill, would not be in a Capacity to serve his Majesty at this Time. His Lordship added, that if such extraordinary Proceedings went on, he saw nothing remaining for him and others to do, but to retire to their Country Houses, and there, if possible, quietly enjoy their Estates within their own Families, since the least Correspondence, the least intercepted Letter, might be made criminal. To this Purpose his Lordship quoted a Passage out of Cardinal *de Retz*'s Memoirs, relating to that wicked Politician, Cardinal *Mazarine*, who boasted, that if he had but two Lines of any Man's Writing, with a few Circumstances attested by Witnesses, he could cut off his Head when he pleas'd. His Lordship also shrewdly animadverted on the Majority of the venerable Bench, towards which, turning himself, he said, he could hardly account for the inveterate Hatred and Malice some Persons bore the learned and ingenious Bishop of *Rochester*, unless it was that they were intoxicated with the Infatuation of some of the wild *Indians*, who fondly believe they inherit not only the Spoils, but even the Abilities of any great Enemy they kill. The Earl of *Strafford* spoke on the same Side, as did also the Lord *Trevor*, who, among other Arguments against the Bill in Question, urg'd, That if Men were in this unprecedented Manner, proceeded against without legal Proof, in a short Time Men would be try'd as they were lik'd by Ministers: That for his own Part, he believ'd he stood but indifferently in the Opinion and Liking of some Persons, and therefore he had Reason to think himself more in Danger, because at present, they wanted the Protection of the Law, (meaning the Suspension of the *Habias Corpus* Act)

and as in short Time, they were like to be so unhappy as to be deprivd of his Majesty's personal Protection, and were still liable to be confin'd upon Suspicion, which he took to be no more than *Will and Pleasure*, they were consequently at the *Will and Pleasure* of the Ministers: That however, no Apprehension of what he might suffer, should deter him from doing what he thought his Duty; that consonant to that Principle, he had all along, and still oppos'd these extraordinary Proceedings, which tended to lodge an exorbitant Power in their Fellow Subjects: That if he were to lose his Liberty, he had rather give it up to one single Tyrant, than to many: For a Tyrant, if a Man of common Understanding, would, for his own Sake, be tender of the Lives of his Subjects; whereas many Tyrants would endeavour to destroy one another, to get one another's Preferments. The Lord *Trevor* having done speaking, the Earl of *Finlater* and *Seafield* took up the Cudgels on the Court Side, and endeavour'd to shew, that the Evidence that had been produc'd before them, being sufficient to convince any reasonable Man, that there had been a detestable Conspiracy, and that the Bishop of *Rochester* had a great Share in it, was likewise sufficient to justify this extraordinary Proceeding against him, especially since they inflicted on him so light a Punishment, considering the Heinousness of his Crime. The Duke of *Argyle* pursu'd the same Argument; ran through and confuted the most essential Parts of the Bishop's Defence; and, with Vehemence, aggravated his Offence, by which he had debased his Holy Function and Character, and acted contrary to the solemn and repeated Oaths he had taken. The Lord *Gower* spoke afterwards against the Bill; but what surpriz'd most People, the Lord *Lechmere*, who, on several Occasions had express'd his Dislike of these extraordinary Proceedings, declar'd it as his Opinion, that there was sufficient Evidence to support the Charge. He was answer'd by Earl *Cowper*, in a long Speech, importing in Substance, That the strongest Argument which had been urg'd for this Bill, was Necessity; but that for his Part he saw no Necessity that could justify so unprecedented and so dangerous a Proceeding: That, as already had been suggested, the Conspiracy had above a Twelve-month before been happily discover'd, and the Effects of it consequently prevented: That besides the intrinsick Weight and Strength of the Government, by the numerous

numerous Offices and Employments, Civil and Military, and the Wealth and Interest of the Well-affected to his Majesty's Person, and the present happy Establishment, the Hands of those at the Helm had still been fortify'd by the Suspension of the *Habeas Corpus* Act, and the additional Troops; so that in his Opinion, there could be no Danger to the Government, if *Plunket* and *Kelly* were not Prisoners for Life, nor the Bishop of *Rochester* sent into Banishment: That on the contrary, if that Prelate's Talent and Genius lay in contriving and carrying on State-Intrigues, he thought him less dangerous at Home than abroad: That the other Reasons alledg'd to support this extraordinary Proceeding, had no more Weight in them, than the first: That the known Rules of Evidence, as laid down at first, and establish'd by the Law of the Land, were the Birth-Right of every Subject of this Nation; and ought to be constantly observ'd, not only in the inferiour Courts of Judicature, but also in both Houses of Parliament, 'till alter'd by the Legislature; that much had been said of the Power of Parliaments, which he own'd was very great: But that, in his Opinion, their absolute Power consisted only in making and repealing Laws; and 'till such Time as a Law was repeal'd, every Subject had a Right to it.

That the admitting the precarious and uncertain Evidence of the Clerks of the Post-Office, was a very dangerous Precedent: That in former Times it was thought very grievous, that in Capital Cases, a Man should be affected by Similitude of Hands: But here the Case was much worse; since it was allow'd, that the Clerks of the Post-Office would carry the Similitude of Hands four Months in their Minds; that these Men might be honest, and swear to the best of their Knowledge; but he was sure, they were at least very willing and forward Evidence: For as he ask'd one of them, how he knew such a Paper to be Mr. *Kelly*'s Hand? he readily answer'd, *He had seen the same four Months before, and he was sure it could be no other*: Whereas any Man, who has never so little been conversant in the World, knows that Hands may be so well counterfeited, as not to be distinguish'd. After this, his Lordship commended the Bishop of *Rochester*'s noble and brave Carriage in not answering before the House of Commons, those Proceeding in this unprecedented Manner, against a Lord of Parliament, was such an Incroachment on

the Prerogative of the Peerage, that if submitted to, by passing this Bill, they might well be said to be the last of Lords: *Ultimus Romanorum*, my Lords, (said his Lordship in the Conclusion) was a Character of Honour and Praise: But to be the last of *British* Peers, by giving up our ancient Privileges, will never, I doubt, admit of such Construction, and therefore I am for rejecting this Bill! Little was said of any great Weight after this Speech; and about half an Hour past Nine, the Question being put, it was resolved in the Affirmative, That the Bill should pass, by a Majority of 83 Voices against 43; upon which several Lords entered and signed the following Protestation, *viz.*

Dissentient'

1. Because the Objection which we thought lay against the Bills of *Plunket* and *Kelly*, that the Commons were thereby let into an equal Share of Judicature with the Lords, does hold stronger, as we apprehend, against the present Bill, since, by Means of it, a Lord of Parliament is in Part try'd and adjudg'd to Punishment in the House of Commons, and reduced to a Necessity, either of letting his Accusation pass undefended in that House, or of appearing there, and, as we take it, derogating from his own Honour, and that of the Lords in general, by answering and making his Defence in the Lower House of Parliament.

2. Because we are of Opinion, that the Commons would be very far from yielding to the Lords, any Part of those Powers and Privileges, which are properly theirs by the Constitution, in any Form, or under any Pretext whatsoever. And it seems to us full as reasonable, that the Lords should be as tenacious of the Rights and Privileges which remain to them, as the Commons are on their Part.

3. We think this Bill against a Lord of Parliament, taking it's Rise in the House of Commons, ought therefore not to have received any Countenance in this House. For that, as it appeared to us by the printed Votes of the House of Commons, that House had voted the Bishop Guilty of all the Matters alledged against him in the Bill, before the Bill was brought into that House, and consequently before the Bishop had any Opportunity of being heard: And altho' there be nothing absurd in such a Vote, in order to their accusing by an Impeachment; yet it seems to us absolutely contrary to Justice, which ought to be unprejudic'd, to vote any one Guilty

again

against whom they Design to proceed in their Legislative Capacity, or in the Nature of Judges, before the Party has an Opportunity to be heard, or the Bill, which is to ascertain the Accusation, is so much as brought in.

4. We are of Opinion, that no Law ought to be passed on purpose to enact, that any one be Guilty in Law, and punished as such, but where such an extraordinary Proceeding is evidently necessary for the Preservation of the State: Whereas the Crime offered to be proved against the Bishop of *Rochester* is, as we conceive, his partaking in a traiterous Conspiracy against the Government; which Conspiracy, by God's Blessing, is detected, and, as we hope, disappointed, without the Aid of such a dangerous Proceeding, as we conceive this to be.

5. Because there are certain known and established Rules of Evidence, which are Part of the Law of the Land, either introduced by Acts of Parliament, or framed by Reason and the Experience of Ages, adjusted as well for the Defence of the Life, Liberty, and Property of the Innocent Subject, as the Punishment of the Guilty; and therefore these Rules are, or ought to be, constantly adhered to, in all Courts of Justice; and, as we conceive, should be also observed, 'till altered by Law in both Houses of Parliament, whenever they Try, Judge, and Punish the Subject, tho' in their Legislative Capacity. But since, in many Instances, in this and the two other Proceedings by Bill, we have been taught, by the Opinion of the House, that these Rules of Evidence need not be observed by the Houses acting in their Legislative Capacity; we clearly take it to be a very strong Objection to this Manner of Proceeding, that Rules of Law, made for the Security of the Subject, are of no Use to him in it; and that the Conclusion from hence is very strong, that therefore it ought not to be taken up, but where clearly necessary, as before affirmed: And we do desire to explain our selves so far upon the Cases of Necessity excepted, as to say, we do not intend to include a Necessity arising purely from an Impossibility of convicting any other Way.

6. If it be admitted, that traiterous Correspondencies in Cypher and Cant-Words may, to a Degree, be discouraged by this Sort of Proceeding, in which Persons, as we think, are convicted on a more uncertain Evidence than the known Rules of Law admit of; yet we are of Opinion, that Convenience will be much more than out-

out-weigh'd by the Jealousy it must of Necessity, as we conceive, create in the Minds of many of his Majesty's most faithful Subjects, that their Lives, Liberties, and Properties are not so safe, after such repeated Examples, as they were before; and by the natural Consequence of this Apprehension, an Abatement of their Zeal for the Government may ensue, excepting such Persons as have had more than ordinary Opportunities of being well instructed in Principles of the utmost Duty and Loyalty.

7. We cannot be for the passing this Bill, because the Evidence produced to make good the Recital of it, or that the Lord Bishop of *Rochester* is guilty of the Matter he therein stands accused of, is, in our Opinions, greatly defective and insufficient, both in Law and Reason, to prove that Charge: The Evidence consisting altogether, to the best of our Observation, in Conjectures arising from Circumstances in the intercepted Letters, or in a Comparison of Hand-writings resting on Memory only. And there being, as we think, no Proof of the Bishop's knowing of, or being privy to, any of the said Correspondence; and as to the principal Part of the Charge against the Bishop, and on which, as we think, all the rest does depend, *viz.* the dictating of the Letters of the 20th of *April* 1722, which the House of Lords seem to have determined that *Kelly* wrote, we are of Opinion that the Bishop has, in his Defence, very clearly and fully proved, that he did not, nor possibly could, dictate those Letters, or the Substance of any Part thereof to *Kelly*, either on the Days of the Date, or at any Time during several Days before, or next after the Day of their Date, nor was in any Capacity to write them himself, tho' the Letters must have been wrote within that Compass of Time. And we are, upon the whole, of Opinion, that the Proof and Probability of the Lord Bishop of *Rochester's* Innocence, in the Matters he stood charged with, were much stronger than those of his Guilt.

Strafford,	*Anglesey*,	*Masham*,
Scarsdale,	*Aylesford*,	*Guilford*,
Denbigh,	*Ashburnham*,	*Berkeley de Str.*
Northampton,	*Hay*,	*Pomfret*,
Bruce,	*Foley*,	*Middleton*,
Salisbury,	*Bathurst*,	*Willoughby de Br.*
Poulet,	*Osborn*,	*Cowper*,

Montjoy,

Montjoy,	*Trevor*,	*Brook*,
Fran. Cestrien.	*Gower*,	*Hereford*,
Dartmouth,	*Uxbridge*,	*Bingley*,
Cardigan,	*Compton*,	*Stanwell*,
Litchfield,	*Weston*,	*Oxford*,
Craven,	*Arundel*,	*Exeter*.

The Duke of *Wharton* likewise entered the following Protest.

I Dissent for the 6th and 7th Reasons of the foregoing Protestation, and for the following Reasons.

1. Because this extraordinary Method of Proceeding by Bills of this Nature against Persons who do not withdraw from Justice, but are willing to undergo a legal Tryal, ought in my Opinion, to be supported by clear and convincing Evidence; and I apprehend there has been nothing offered to support the Allegations set forth in the Preamble of the *Bill to inflict Pains and Penalties on* Francis *Lord Bishop of* Rochester, but what depends on decypher'd Letters, forced Constructions, and improbable *Inuendo's*.

2. I conceive, that the Examination of *Philip Neynoe* taken before the Lords of the Council, not sworn to, nor sign'd, (which appears to me to be the Foundation on which the Charge against the Bishop of *Rochester* is built) has been, in my Apprehension, sufficiently proved, by the positive Oaths of three Persons, two of which have been for several Months in separate Custodies, confirmed by other Circumstances, to have been a false and malicious Contrivance of the said *Neynoe*, to save himself from the Hands of Justice, and to work the Destruction of the Bishop of *Rochester*.

3. I do not apprehend, that the Letters of the 20th of *April*, which are suggested to be wrote by *George Kelly*, alias *Johnson*, and dictated by the Bishop, have been sufficiently proved to be the Hand-writting of the said *Kelly*; but on the contrary it appears, to the best of my Judgment, that the Letter of the 20th of *August* (stop'd at the Post-Office, and from which the Clerks of the Post-Office, on their Memory only, swore they believed the said Letters of the 20th of *April*, to be the same Hand-writing, tho' they never compared two original Letters together during all that Time) has been proved by three credible Witnesses, concuring in every Circumstance of their Testimony, and well acquainted with the Hand-writing of the said *Kelly*, not to be his Hand-writing:

ing: And I conceive that the Difference they have observed in the Hand of the said *Kelly*, upon which they ground their Opinions, is sufficiently supported, by comparing the said Letter of the 20th of *August*, with the Letters wrote by the said *Kelly*, to the Lord *Townshend* and Mr. *De la Faye*, during the Time of his Confinement.

4. I do not apprehend, that any Proof has been offered to support what has been so much insisted on, and justly esteemed essential to the Charge, that the Bishop of *Rochester* dictated the Letters of the 20th of *April*; but it has appeared, I conceive, that there has been no Intimacy between the Bishop and the said *Kelly*, and the Testimony of the Bishop's Servants concurring with the Evidence given on that Head, by the Persons that *Kelly* lived in the strictest Correspondence with, leaves to the best of my Judgment, no Room to doubt, but that the Acquaintance between them was slender and publick; and to suggest from thence, that the Bishop dictated the Letters from of the 20th of *April*, when it appeared, that for many Days before he could not possibly see the said *Kelly*, is, in my Opinion, repugnant to Reason, and contrary to Justice. *Wharton.*

The Substance of the *Bill to punish* the Bishop of *Rochester*, is as follows.

WHereas in the Years 1721 and 1722, a detestable and horrid Conspiracy was formed and carried on by divers Traitors, for invading your Majesty's Kingdoms with Foreign Forces, for raising an Insurrection and Rebellion again your Majesty, for seizing the Tower and City of *London*, and for laying violent Hands upon your Majesty's most Sacred Person, and upon his Royal Highness the Prince of *Wales*, in order to subvert our present happy Establishment in Church and State, by placing a Popish Pretender on your Throne: And whereas, for the better concealing and effecting the said Conspiracy, divers treasonable Correspondencies were, within the Time aforesaid, carried on by Letters written in Cyphers, Cant-Words, and fictitious Names; which Conspiracy, had it not been disappointed by the Goodness of Almighty God, would have deprived your Majesty's Kingdoms of the Enjoyment of their Religion, Laws, and Liberties, involved them in Blood and Ruin, and subjected your People, to the Bondage and Oppression of *Romish* Superstition and Arbitrary Power: For which execrable Treason, *Christopher Layer* has been indicted

indicted, tried, convicted, and attainted. And whereas *Francis* Lord Bishop of *Rochester*, notwithstanding the many solemn Assurances by him given of his Faith and Allegiance to your Majesty, by taking the Oaths by Law appointed to be taken, instead of the Oaths of Allegiance and Supremacy; which Oaths he had likewise taken at sundry Times, during the respective Reigns of their Majesties King *William* and Queen *Mary*, and of her late Majesty Queen *Anne*; and notwithstanding he had frequently abjured the Pretender, hath, in direct Violation of his said repeated Oaths and Obligations, and to the great Scandal of Religion, and his holy Function, been deeply concern'd in forming, directing, and carrying on the said wicked and detestable Conspiracy, and hath been a principal Actor therein, by traiterously corresponding with divers Persons, to raise an Insurrection and Rebellion against your Majesty, within this Kingdom, and to procure a foreign Force to invade the same, in order to depose your Majesty, and place the Pretender on your Throne; and by traiterously corresponding with the said Pretender, and Persons employ'd by him, knowing them to be so employ'd: Therefore to manifest our just Abhorrence of so wicked and abominable a Conspiracy, and our Zeal and tender Regard for the Preservation of your Majesty's Person and Government, and of the Protestant Succession in your Majesty's Royal Family, the solid Foundations of our present Happiness and future Hopes; and to the End that no Conspirators may, by any subtle Contrivance or Practice whatsoever, escape Punishment, and that all others may, by the Justice of Parliament, be for ever hereafter deter'd from engaging in any traiterous Conspiracies or Attempts: We your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal, and Commons in Parliament assembled, do humbly beseech your Majesty, that it may be enacted, and be it enacted, &c. That the said *Francis* Lord Bishop of *Rochester*, from and after the 1st Day of *June*, in the Year of our Lord 1723, shall be and is hereby deprivd of all and singular his Offices, Dignities, Promotions, and Benefices Ecclesiastical whatsoever, and that the same, and every of them, shall from thenceforth be actually void, as if he were naturally dead; and that the said *Francis* Lord Bishop of *Rochester* shall from thenceforth for ever be disabled, and rendered incapable of and from taking, holding, or enjoying any

Office, Dignity, Promotion, Benefice, or Employment within this Realm, or any other his Majesty's Dominions; and also of and from using or exercising any Office, Function, Authority, or Power Ecclesiastical or Spiritual whatsoever, and shall and do suffer perpetual Exile, and be for ever banished this Realm, and all other his Majesty's Dominions, and shall depart out of the same on or before the 25th Day of *June*, in the Year 1723. And that if the said *Francis* Lord Bishop of *Rochester* shall return into, or be found within this Realm, or any other his Majesty's Dominions, at any Time after the said 25th Day of *June*, 1723, he, the said *Francis* Lord Bishop of *Rochester*, being thereof lawfully convicted, shall be adjudg'd guilty of Felony, and shall suffer and forfeit as in Cases of Felony, without Benefit of Clergy, and shall be utterly incapable of any Pardon from his Majesty, his Heirs or Successors.

And be it further enacted, that all Persons, who shall, from and after the said Five and Twentieth Day of *June*, 1723, be aiding and assisting to the Return of the said *Francis* Lord Bishop of *Rochester* into this Realm, or any other of his Majesty's Dominions, or shall harbour or conceal him within the same or any of them, being thereof lawfully convicted, shall be adjudg'd guilty of Felony, and shall suffer and forfeit as in Cases of Felony, without Benefit of Clergy.

And be it farther enacted, That if any of the Subjects of his Majesty, his Heirs, or Successors, except such Persons as shall be licensed for that Purpose by his Majesty, his Heirs or Successors, under his or their Sign Manual, shall from and after the said 25th of *June*, 1723, within this Realm, or without, hold, entertain, or keep any Intelligence or Correspondence in Person, or by Letters, Messages or otherwise, with the said *Francis* Lord Bishop of *Rochester*, or with any Person or Persons employ'd by him, knowing such Person or Persons to be so employ'd, such Person so offending, being thereof lawfully convicted, shall be adjudg'd guilty of Felony, and shall suffer and forfeit as in Cases of Felony, without Benefit of Clergy.

And be it farther enacted, That if any Offence against this Act shall be committed out of this Realm, the same shall or may be alledg'd, laid, enquir'd of, and tried in any County within *Great Britain*.

This

Thus we have given a fuller Account than has yet been publish'd together, of the Proceedings against the late Bishop of *Rochester*; an Event of so great Importance, that we presume, we shall not be blamed for employing this whole *Register* upon it, and leaving Affairs of less Moment to find Place in our future Collections; in which too, we intend to insert, as Opportunity shall offer, some other remarkable Speeches that were made both for and against the Bishop of *Rochester*.

A List of the Sheriffs of England *and* Wales, *for the Year* 1724.

AT the Court at St. *James's*, the 7th Day of *January*, 1723.

PRESENT,

The King's Most Excellent Majesty in Council.

Sheriffs appointed by His Majesty in Council for the Year 1724.

Berks,	*John Rush*, Esq;
Bedford,	*Thomas Aynscombe*, Esq;
Bucks,	*Martin Bazill* of *Beaconsfield*, Esq;
Cumberland,	*Joseph Dacre Appleby*, Esq;
Cantab'&Hunt'	*Thomas Jenkinson* of *Elme*, Esq;
Devon,	*Robert Fry* of *Yarty*, Esq;
Dorset,	*Robert Henley*, Esq;
Derby,	Sir *Thomas Greasly*, Bart.
Ebor'	*Hugh Cholmley* of *Whitby*, Esq;
Essex,	*James Braine*, Esq;
Gloucester,	*Samuel Roach* of *Sheerhampton*, Esq;
Hertford,	*Richard Stevens* of *Leominster*, Esq;
Hereford,	*Thomas Delahay*, Esq;
Kent,	Sir *Robert Austin*, Bart.
Lancaster,	*Richard Tateham*, Esq;
Leicester,	*Richard Smith* of *Enderby*, Esq;
Lincoln,	*Sigismond Trafford*, Esq;
Monmouth,	*Matthew Powell* of *Latilio*, Esq;
Northumb'	*John Cotesforth*, Esq;
Northampton,	*William Thursby*, Esq;
Norfolk,	*Robert Clough*, Esq;
Nottingham,	*John Richards*, Esq;
Oxford,	*John Blewitt*, Esq;
Rutland,	*George Brushfield*, Esq;
Salop,	*Richard Oakley*, Esq;
Somerset,	*Christopher Baker*, Esq;

Stafford,

Stafford,	*Zachariah Babington*, Esq;
Suffolk,	*Gregory Coppinger*, Esq;
Southampton,	Sir *Richard Mill*, Bart.
Surrey,	*John Essington*, Esq;
Sussex,	*Thomas Fuller of Park-Gate*, Esq;
Warwick,	*John Shipp*, Esq;
Worcester,	*Charles Craven*, Esq;
Wilts,	*Joseph Holton*, Jun. Esq;
	South-Wales.
Brecon,	*Joshua Parry* of *Talylin*, Esq;
Carmarthen,	*John Allen* of *Llanelly*, Esq;
Cardigan,	*David Jones*, Esq;
Glamorgan,	*James Williams* of *Cardiffe*, Esq;
Pembroke,	*William Wogan*, of *Wiston*, Esq;
Radnor,	*Hugh Morgan* of *Coedglayson*, Esq;
	North-Wales.
Anglesea,	*John Griffith* of *Carreglwy d*, Esq
Carnarvon,	*William Wynne* of *Llanunda*, Esq;
Denbigh,	*John Feulesson* of *Havodywerne*, Esq;
Flint,	Sir *Stephen Glynn*, Bart.
Merioneth,	*Gune Lloyd* of *Hindler*, Esq;
Montgomery,	*Walter Watering* of *Oldbury* in the County of *Salop*, Esq;

FINIS.

THE Historical Register.

NUMBER XXXIV.

GREAT BRITAIN.

IN the Accounts of the Proceedings of the Parliament of *Great Britain*, we were oblig'd for Want of Room, to omit some of the remarkable Protests in the House of Peers, during the last Session: Those relating to the Conspiracy and Tryals of the Conspirators, are inserted in their proper Places; the rest are as follows:

ON the 11th of *October*, 1722, the Amendments in 16th and 17th Lines of the Bill for suspending the *Habeas Corpus* Act, in Relation to the Time of the Continuance of the said Bill, was read a second Time.

And the Question was put, Whether to agree with the Committee, in the said Amendments?

It was resolv'd in the Affirmative.

Dissentient

1. The Act commonly call'd the *Habeas Corpus* Act, is admitted on all Hands, to be the great Bulwark of the Liberty of the Subject; and therefore, although in Cases of actual Rebellion, and intended Invasion, that Act has been at Times before suspended, yet it was done sparingly, and by Degrees; and the utmost Term unto which it has hitherto been suspended at any Time, has been the Term of six Months: Which Consideration puts us under a very melancholy Apprehension for the very Being or Effect of that excellent Law, since the present Suspension of it for a Year or

more, will be full as good an Authority, in Point of Precedent, for the suspending it, on another Occasion, for the Term of two Years, as any former Precedent is now for the present Suspension during one Year, or more.

2. The detestable Conspiracy, which occasions the present Suspension, having been discover'd and signify'd to the City of *London* about five Months since, and divers Persons imprison'd for it a considerable Time past, we cannot but conceive it to be highly unreasonable to suppose, that the Danger of this Plot, in the Hands of a faithful and diligent Ministry, will continue for a Year or more yet to come; and that in so high a Degree, as to require a Suspension of the Liberty of the Subject (for so we take it to be) during all that Time.

3. His Majesty not having visited his Dominions abroad these two last Years, will very probably leave the Kingdom the next Spring to that End; in which Time, this great Power of suspecting and imprisoning the Subjects at Will, and detaining them in Prison till the 24th of *October* 1723, and for as much longer Time, as till they can after that, take the Benefit of the *Habeas Corpus* Act (if they can then do it at all) will be lodg'd in the Hands of some of our Fellow-Subjects, who we are not so sure will be above all Prejudices and Partialities, as weare that his Majesty will.

4. This weakens the Provisions made for the Lords and Members of the other House of Parliament, that they shall not be committed, or detain'd, sitting the Parliament, without the Consent of the Houses respectively, since it is very probable the Parliament will not be sitting the greatest Part of the Time for which this Bill, if enacted, will continue a Law: And such is the Weakness of human Nature, that we cannot be assur'd, but that the Apprehension of what may befal any Member of Parliament while the Parliament is not sitting, may have some Influence on the Freedom of acting in Parliament.

5. The Dictatorial Power was always ended, or laid down immediately, when the urgent Occasion for it was over; and it was never continued much longer, 'till a little before the great State, from which all others draw so many Maxims of Government, lost its Liberties.

W. Ebor'

W. Ebor.	*Scarsdale,*	*Bathurst,*
Craven,	*Anglesey,*	*Aylesford,*
Litchfield,	*Osborn,*	*Masham,*
Ashburnham,	*Trevor,*	*Uxbridge,*
Cowper,	*Bingley,*	*Gower,*
Strafford,	*Chester,*	
Guilford,	*Hay,*	

Then the Bill was read a third Time with the said Amendments, and pass'd.

Dissentient'

Scarsdale,	*Litchfield,*	*Hay,*
Cowper,	*Gower,*	*Ashburnham,*
Osborn,	*Uxbridge,*	*Craven,*
Anglesey,	*Guilford,*	*Strafford.*
Masham,	*Bingley,*	
Lechmere,	*Bathurst,*	

On the 26th of *October*, 1722, the Lord Viscount *Townshend* having by his Majesty's Command, signify'd to the House, he had just Cause to suspect, that the Duke of *Norfolk* was engag'd in the Conspiracy now carrying on, and did therefore desire the Consent of the House to his being committed, and detain'd on Suspicion of High Treason, according to the Act lately pass'd for suspending the *Habeas Corpus* Act.

The House (upon the Question) resolv'd to consent that the said Duke may be committed and detain'd.

Dissentient' *Anglesey.*

1. Because we apprehend it to be one of the ancient undoubted Rights and Privileges of this House, That no Member of the House be imprison'd or detain'd during the Sitting of Parliament, on Suspicion of High Treason, until the Cause and Grounds of such Suspicion be communicated to the House, and the Consent of the House thereupon had to such Imprisonment or Detainer; which ancient Right and Privilege is recognized and declar'd in plain, express, and full Terms, in the Act pass'd this Session of Parliament, to which the Message from his Majesty refers.

2. Because it appears clear to us, not only from former Precedents, even when no such Law was in Being, as that abovemention'd, but also from the very

necessary Construction of the Proviso therein, concerning the Privileges of Parliament, that the House is intitled to have the Matter of the Suspicion communicated to them in such Manner as is consistent with the Dignity of the House, and will enable them to deliberate and found a right Judgment thereupon, for or against the Imprisonment, or Detainer of the Person concern'd: But to maintain that, while that Law shall be in Force, it shall be sufficient in order to obtain the Consent of the House, to communicate a general Suspicion, that a Member of the House is concern'd in a traiterous Conspiracy, without discovering any Matter or Circumstance to warrant such Suspicion, is, in our Opinion, an unjustifiable Construction of the said Proviso, and such as wholly deprives the House of the Liberty of giving their free and impartial Advice to the Throne on this Occasion; and such a Construction being made upon a Law so plainly intended by the Wisdom of this Parliament, to assert the Privileges of both Houses, appears to us to pervert the plain Words and Meaning of it, in such a Manner, as renders it wholly destructive to those very Privileges intended to be preserv'd.

3. Because his Majesty having in Effect, requir'd the Judgment and Advice of the House, touching the Imprisonment and Detainer of the Duke of *Norfolk*, we ought not, as we conceive, either in Duty to his Majesty, or in Justice to the Peer concern'd, to found our Opinions concerning the same, on any Grounds, other than such only as his Majesty has been pleas'd to communicate in his Message: And his Majesty, in his Message, having communicated only a general Suspicion, we think, we cannot without the highest Injustice to the Duke, and the most palpable Violation of the most valuable Privilege belonging to every Member of this House, give our Consent to his Imprisonment or Detainer, and thereby make our selves Parties, and, in some Degree, the Authors of such his Imprisonment, until we have a more particular Satisfaction touching the Matter of which he stands suspected; more especially considering the long and unprecedented Duration of the Act abovemention'd, whereby the Benefit, not only of the Act commonly call'd the *Habeas Corpus* Act, but of *Magna Charta* itself, and other valuable Laws of Liberty, are taken from the Subjects of this Realm, and extraordinary Powers are given to the Persons therein mention'd,

mention'd, over the Liberties of the People, for a Twelvemonth and upwards.

4. Because we think it inconsistent, as well with the Honour and Dignity, as with the Justice of this House, in the Case of the meanest Subjects, to come to Resolutions for depriving them of their Liberty, upon other than clear and satisfactory Grounds: But as the Members of both Houses of Parliament are, by the Laws and Constitution of this Kingdom, invested with peculiar Rights and Privileges, of which the Privilege beforemention'd, is a most essential one, as well for the Support of the Crown itself, as for the Good and Safety of the whole Kingdom, we cannot, as we conceive, without betraying these great Trusts which are repos'd in us, as Peers of the Realm, agree to a Resolution which tends to subject every Member of this House, even sitting the Parliament, to unwarrantable and arbitrary Imprisonments. And we have the greater Reason to be jealous of an Infringement of this Privilege on this Occasion, because it had been easy, as we think, for those who had the Honour to advise the framing the said Message, to have communicated to this House, the Matters of which the Duke of *Norfolk* stands suspected, in such a Manner as might be consistent with the Privileges of this House, and at the same Time, to have avoided any Danger or Inconvenience to the Crown, with Regard to the future Prosecution of the said Duke, (if any such shall be.)

5. It is the known Usage and Law of Parliament, that this House will not permit any Peer to be sequestred from Parliament on a general Impeachment of the Commons, even for High Treason, 'till the Matter of the Charge be specify'd in Articles exhibited to this House, which explains to us the Nature of the Privilege intended to be secur'd by the Proviso, and is the highest Instance of the Care of this House to preserve it from being violated on any Pretence whatsoever. But, in our Opinions, it must create the greatest Inconsistence and Repugnancy in the Proceedings of the House, to consent, that a Peer of the Realm should be imprison'd or detain'd, sitting the Parliament, on a Suspicion of High Treason only, not warranted, for ought appears to us, by any Information given against him, upon Oath, or otherwise, and no particular Circumstance of such Suspicion being communicated to the House.

6. Because

6. Because a Resolution so ill grounded as this appears to us, may produce very ill Effects in the present unhappy Conjuncture of Affairs, by creating fresh Jealousies in the Minds of his Majesty's Subjects, who cannot fail of entertaining certain Hopes of the Safety of his Majesty's Person and Government, against all his Majesty's Enemies, from the Advice and Assistance of both Houses of Parliament, whilst they continue in the full Enjoyment and free Exercise of their ancient and legal Rights and Privileges; but on the other Hand may be alarm'd with new Fears for the Honour and Safety of his Majesty and his Government, by a Resolution taken by this House for the Imprisonment of a Peer of the Realm, in such Manner, as in our Opinion, is highly injurious to his Person, and also to the Privileges of every other Peer of the Realm, and which may prove of fatal Consequence to the Constitution of both Houses of Parliament.

W. Ebor'	*Strafford,*	*Bathurst,*
Fran. Cestrien'	*Cowper,*	*Bingley,*
Scarsdale,	*Trevor,*	*Foley,*
Bristol,	*Lechmere,*	*Compton,*
Uxbridge,	*Ashburnham,*	*Osborn,*
Oxford,	*Guilford,*	*Hay.*

On the 21st of *January*, 1723, a Motion was made, that the Judges of the King's Bench be order'd to cause the Tryal of *Christopher Layer*, Esq; to be forthwith printed and publish'd, the same being first perus'd by the King's Counsel.

And a Question being stated thereupon, after Debate, the previous Question was put, Whether the said Question shall now be put?

It was resolv'd in the Negative. Not content 53. Content 32.

Dissentient'

1. Because it appear'd to us, on the Debate of the main Question, that there has been an unnecessary and affected Delay in the Printing and Publishing the said Tryal, it being full two Months since *Christopher Layer* was tried; and Direction having been given for the speedy publishing thereof, so long since as the 27th of *November* last, as appears by an Advertisement printed by Authority in the *Gazette:* And it having been allow'd in the Debate, that the Delay was extraordinary, and

d no Fact having been laid before the House, sufficit, as we apprehend, to excuse such Delay, we think, at the main Question ought to have been put, as the ly Security, in our Opinion, against any further Neglect, and to prevent any Imputation on the Honour of e House for countenancing or conniving at such Delay.

2. This House having receiv'd no Manner of Satisction, since his Majesty's most gracious Speech from e Throne, touching the horrid Conspiracy therein mmunicated; and no Step having been taken, for ght appears to us, either in Parliament, or elsewhere, r obtaining the Justice due by the Laws of the Land anv of the Conspirators, except the said *Layer*, tho' s Majesty was pleas'd to assure this House, in his eech from the Throne, that some of the Conspirars were then taken up and secur'd; we think, that e main Question ought to have been put, whereby e Publication of the said Tryal might have been ickned, and thereby the Nation receiv'd such Satisction concerning the said execrable Conspiracy, as uld be collected from the said Proceeding, and this ouse have been enabled to make such Use thereof should appear necessary, in their Wisdom, for the onour, Interest, and Safety of his Majesty and his ingdoms.

3. Because we are apprehensive, that the Delay in blishing the said Tryal, may have contributed to eate Jealousies concerning the said Conspiracy, and ay have encourag'd ill-affected Persons to foment the me, to the great Prejudice of his Majesty's Government: And as, in our Opinion, the speedy Publishing e said Tryal, if the same had been done, might have onduc'd to the preventing of those Mischiefs, we also onceive, that the further Growth of them might have een check'd, if the main Question had been put, and rried in the Affirmative.

4. Because we think it of great Consequence to his Majesty's Service, that the Publication of the said Tryal should have been made under the strictest Secuty against all Partiality, or other Abuse relating thereto; nd therefore we think, the main Question ought to have een put, whereby the Care and Inspection thereof would ave been lodged, by the Authority of this House, in the Hands of the Judges, to whom it properly belongs, and s falling into any other Hands not so proper, or not

so

so immediately responsible to this House, would have been been prevented.

Anglesey,	*Lechmere*,	*Craven*,
Trevor,	*Cowper*,	*Hereford*,
Bathurst,	*Foley*,	*Ashburnham*,
Strafford,	*Aylesford*,	*Weston*.
Osborn,	*Compton*,	
Fr. Castrien'	*Gower*,	

Then a Motion being made, and the Question being put, That the Judges of the King's-Bench do attend in their Places, on Thursday next, and that the King's Counsel who were concern'd in the Tryal of *Christopher Layer*, and also the Counsel for the said *Layer* at the said Tryal, and Mr. *Samuel Buckley*, and the Person or Persons who took the said Tryal in Short-Hand do attend at the Bar of this House at the same Time.

It was resolv'd in the Negative.

Dissentient'

1. Because the House having resolv'd, That the Question for ordering the Printing the Tryal of *Christopher Layer* should not now be put, we are of Opinion, that it is thereby made necessary, for the Honour of the House, that the Occasion of the Delay should be enquir'd into; for without such Enquiry, we are apprehensive that the Proceedings of this House may be misconstru'd, as tending to countenance such Delay.

2. Because we think it the Right of this House to enquire into all Neglects or Abuses which concern the Publick; and though it was objected in the Debate that such Enquiry might carry some Imputation on the Judges, or other Persons concern'd, we think, that that Objection may be equally assign'd against all Enquiries, but is inconsistent with the Honour and Dignity of the House, and ought not, as we conceive, to be put in the Balance with the Honour of the House, and the publick Service, to which the Question, in our Opinion, has an apparent Tendency.

Anglesey,	*Brook*,	*Craven*,
Strafford,	*Gower*,	*Aylesford*,

Bathurst

Bathurst,	*Foley,*	*Ashburnham,*
Compton,	*Trevor,*	*Cowper.*
Osborn,	*Lechmere,*	
Fr. Cestrien'	*Weston,*	

On the 29th of *January*, 1722, the House, according to Order, proceeded to take into Consideration the Protestation entred upon Monday the 21st of this Instant, touching the Motion for ordering the Judges to cause the Tryal of *Christopher Layer* to be printed; And it being mov'd to resolve, That it is a groundless Assertion in the said Protestation (*That it appear'd on the Debate, there had been an unnecessary and affected Delay in printing and publishing the Tryal of* Christopher Layer) and the utmost Indignity to this House to suggest, that any Question was necessary to have been put, for preventing an Imputation on the Honour of this House, for countenancing or conniving at such Delays; and a Question being stated thereupon, it was propos'd, after the Word [*Debate*] to add these Words [*to the Lords who sign'd the Protestation*] which being objected to,

The Question was put, Whether these Words shall be made Part of the Question?

It was resolv'd in the Negative.

Content 34.
Not content 64.

Then it was propos'd, after the Word [*Question*] to insert [*in the Opinion of the same Lords*] before the Words [*was necessary.*]

It was resolv'd in the Affirmative.

Content 62.
Not content 35.

A Motion was made to resolve, That the Tryal had been printed and publish'd with as much Expedition as the Length and Nature of the said Tryal, and the careful Perusal and Examination thereof, by the Judges, could admit of, and in as little Time as has generally been accustomed in the like Cases, and that it is an unjust Insinuation, that the Authority of this House was wanting, for lodging the Care and Inspection of the said Tryal in the Hands of the Judges, or that there was any Danger of its falling into any other Hands, or that the same had been under the Direction of any other besides the Judges.

After Debate, it was propos'd to leave out the Words [*and that it is an unjust Insinuation*] and to the End of the Question.

The Question was put, That these Words do stand Part of the Question.

It was resolv'd in the Affirmative. Content 58.
Not Content 31.

The Protestation *to the first Resolution of* January 29, 1722.

Dissentient'

1. BEcause the Assertion and Suggestion in the Protest, intended to be censur'd by the Resolution, are qualify'd, as the Amendment offer'd would have stated them, if admitted, by being restrain'd to the Opinion of the Lords who sign'd the Protestation. But those Restrictions are wholly omitted in the Resolution, and we are clearly of Opinion, That if the Assertion and Suggestion had been set forth in the Resolution, as they stand in the Protestation, they could not have been censur'd with any Colour of Justice; but that the said Omission, being, as we conceive, of a Circumstance extreamly material, we think, the Censures contain'd in the Resolution, are not applicable to the Assertion and Suggestion found in the Protestation, but to such as are of a different Nature.

2. The restraining the Assertion us'd in the Protestation to the Apprehension or Opinion of the Lords Protesting, where it contradicts the Opinion of the House, is, as we conceive, so much of the Essence of the Protestation with Reasons, that of the great Number of Instances of such Protestations standing in the Journals of this House, not one would be found regular among them, if that due Caution and Respect to the Opinion of the Majority was omitted: And therefore it seems clear to us, that the like Censure might be as justly pass'd on all the Protestations with Reasons, that were ever entred, if they were recited and represented in the same Manner as we conceive this to be.

Litchfield,	*Foley*,	*Trevor*,
Fr. Cestrien'	*Strafford*,	*Guilford*,
Ashburnham,	*Exeter*,	*Aberdeen*,
Hereford,	*Bingley*,	*Scarsdale*,
Brook,	*Uxbridge*,	*Graven*,
Bathurst,	*Osborn*,	*Lechmere*,
Gower,	*Anglesey*,	*Hay*,
Montjoy,	*Cowper*,	*Compton*.

The

The Protestation *to the second Resolution of* January 29, 1722.

Dissentient

BEcause we conceive it to be contrary to the Nature and Course of Proceedings in Parliament, that a complicated Question, consisting of Matters of a different Consideration, should be put, especially if objected to, that Lords may not be deprivʼd of the Liberty of giving their Judgments on the said different Matters, as they think fit.

Signʼd by the same Lords as that above.

The Protestation *to the third Resolution of* January 29, 1722.

Dissentient

1. BEcause when the Question was movʼd on the 21st of this Instant, in order to appoint a Day for the House to enquire if the Printing of *Layer*'s Tryal had been dispatchʼd with all proper Expedition; or if not, where the Fault lay; which would naturally have led us to have seen, if it had fallen into any other Hands than it should have done: Thoʼ we thought it highly reasonable, the Majority of the House then did not; and we were yet willing to have given into the same Examination. But we cannot conceive it to be fit or agreeable to the Dignity or regular Course of Proceedings in this House to vote or resolve on such Matters of Fact as are containʼd in this Resolution, without any Examination at all, or any Evidence given to support them, and which, in their Nature, as we think, cannot be within the Knowledge of any Lord present in the Debate.

2. As for the Insinuation with which the Protest is chargʼd by this Resolution, we do not apprehend the Protestation to be justly liable to that Charge. But supposing it to be so, we cannot yet but be of Opinion, that the permitting that Matter to have been fully enquirʼd into, would have been the propereſt and best Method of preventing or answering that insinuation.

Litchfield, *Foley*, *Anglesey*,
Fr. Cestrien. *Hay*, *Cowper*,

 Hereford,

Hereford,	*Strafford,*	*Trevor,*
Brook,	*Exeter,*	*Guilford,*
Lechmere,	*Bingley,*	*Aberdeen,*
Bathurst,	*Uxbridge,*	*Scarsdale,*
Gower,	*Compton,*	*Craven.*
Montjoy,	*Osborn,*	

A Motion was made, That this House, not capable of doubting of the Truth of the traiterous Conspiracy communicated to them by his Majesty, in his most gracious Speech from the Throne, has even since that Time, receiv'd very great Satisfaction from some convincing Proofs touching the same, and is firmly perswaded, that such farther Satisfaction will be yet in due Time given, as must render it impossible for any one to doubt thereof. Upon this Resolution, a Protest was made by twenty-two Lords, for the Reasons following.

Dissentient

1. Because to the best of our Apprehension, no Part of the Protestation gave Occasion for the putting such a Question: For it was, as we conceive, admitted in the Protestation, that his Majesty's most gracious Speech from the Throne, had given Satisfaction as to the Truth of the Conspiracy in general; and the excepting *Layer's* Tryal therein, did plainly allow, that the said Tryal had, as far as it went, open'd the Particulars: And yet the Resolution, as we take it, carries with it an Insinuation, that the Protestation had rais'd a Doubt concerning the Truth of the said traiterous Conspiracy; which Insinuation is, in our Opinion, entirely groundless.

2. The said several Resolutions importing censuring, as we conceive, the said Protestation, and being not warranted by more than one Precedent, that we can find in the Journals of this House; and the Liberty of protesting with Reasons being an unquestionable Right, and essential Privilege of the whole Peerage, we are of Opinion, that the said Resolutions tend to discourage and discountenance the due Liberty of protesting, and, in that Respect, may be, as we apprehend, of dangerous Consequence.

Litchfield,	*Gower,*	*Guilford,*
Aberdeen,	*Strafford,*	*Craven,*

Osborn,

Osborn,	*Anglesey*,	*Hay*,
Compton,	*Bingley*,	*Hereford*,
Exeter,	*Scarsdale*,	*Brook*,
Uxbridge,	*Foley*,	*Montjoy*.
Cowper,	*Fr. Cestrien*'	
Bathurst,	*Lechmere*,	

On the 16th of *February*, 1722, the Amendments in the Bill *for punishing Mutiny and Disertion*, were, according to Order, reported, and the Amendment for inserting the Number of Forces thought proper to be kept on Foot for the ensuing Year, consisting of 16449 effective Men, Officers included, and 1815 Invalids, being read a second Time,

The Question was put, Whether to agree with the Committee in this Amendment?

It was resolv'd in the Affirmative.

Dissentient'

1. Because, as we conceive, the keeping an Army of regular Troops in this Kingdom under Martial Law, consisting of a greater Number than what we take to be necessary for the Guard of the King's Person, and Defence of the Government, is of the most dangerous Consequence to the Constitution of this Kingdom, and, in our Opinion, may bring a total Alteration of the Frame of our Government, from a Legal and Limited Monarchy, to a Despotick. And we are induc'd to be of this Judgment, as well from the Nature of Armies, and the Inconsistence of so great a Military Power and Martial Law with the Civil Authority, as from the known and universal Experience of other Countries in *Europe*, which, by the Influence and Power of Standing Armies, in Time of Peace, have from Limited Monarchies (like ours) been chang'd into Absolute; for which Reason we can't give our Consent to this Amendment, whereby the present Number of Troops, amounting in the whole (Invalids included) to fourteen thousand odd hundred Men (which we think abundantly sufficient for all good Purposes) will be increas'd to near four thousand more, altho' there be at this Time no Ground to apprehend an Invasion from a foreign Enemy, or, as we believe, any Insurrection or Rebellion at Home.

2. Because that which seems to have given Rise to this Augmentation of the Army, is the late treasonable Conspiracy,

Conspiracy, which his Majesty, at the opening of this Sessions, acquainted his Parliament with; and that Conspiracy having been discover'd above eight Months since, and the further Detecting and Punishing the Conspirators having been ever since in the Hands of a faithful and diligent Ministry, we cannot think it at all probable the Conspiracy should still be carrying on; or if any Dregs of it should be yet remaining, that the Government cannot be easily secur'd by a Civil Authority, assisted by so great a Number of Troops as are at present on Foot: And therefore we cannot think ourselves justifiable to the Kingdom (whose Rights and Privileges we are entrusted to preserve) had we given our Votes for this Augmentation of Troops, when no evident Necessity, or just Occasion appear'd to us for such an Increase.

3. Because the Act pass'd this Session, to enable his Majesty to apprehend and detain in Custody any Person (suspected of being engag'd in any treasonable Conspiracy) for above twelve Months, tho' that Power had never been granted to the Crown before, for half that Time at once (and that when there was an actual Rebellion, or expected Invasion) was so great a Power added to the former Authority of the Crown, that we cannot but think it altogether sufficient to prevent any Mischief from treasonable Plots or Practices, which may be carry'd on by any rebellious or discontented Persons, without encreasing the Army, which, in its present State, is not submitted to, but as necessary for avoiding a greater Evil.

4. Tho' the intended Augmentation by this Bill, is intended only for one Year, yet we fear this will be a Means of continuing them in Perpetuity; for we think it probable, there will at all Times hereafter, be easily found as good Reasons for continuing this Increase, as there is now for making it.

5. Because we think, the greatest, and only lasting Security to his Majesty, and his Government, is in the Hearts and Affections of his Subjects; and if the Disaffection or Discontents which have of late happen'd from some unfortunate Proceedings, are thought by any to be an Argument for raising more Forces, we think it the Duty of all good Subjects, who wish well to his Majesty, and our present happy Establishment, to use their best Endeavours for curing those Discontents, by removing or lessening the Occasions of them, and consequently

equently, that there should not be an Augmentation f the Army, which is already sufficiently burdensome o the Subjects, both by the great Charge of main- aining them, and by the Uneasiness to the Places where they are quarter'd; because thereby the Charge o the Subject will be considerably increas'd, which, as we apprehend, ought most carefully to be avoided in ur Circumstances, when the Load of Taxes is already o very great, and the Kingdom involv'd in so immense Debt, that nothing but the most prudent Œconomy nd good Husbandry, can give us any probable Pro- pect of easing it; and therefore not being convinc'd of ny real or just Ground for such Increase of Troops, o fear that this will not take away or lessen, but ra- her increase the Discontents and Disaffection of the eople; and in that Respect, weaken his Majesty's Go- vernment, in a greater Degree than it will be strengthned y this Addition of Forces, allowing something for the ossibility of false Musters.

W. Ebor'	*Gower,*	*Cowper,*
Poulet,	*Trevor,*	*Osborn,*
Uxbridge,	*Compton,*	*Litchfield,*
Aberdeen,	*Strafford,*	*Ashburnham,*
Oxford,	*Fr. Cestrien'*	*Foley,*
Scarsdale,	*Hay,*	*Montjoy.*

On the 20th of *May*, the Lords read a second Time Bill from the Commons, intitled, *An Act for granting n Aid to his Majesty, by laying a Tax upon Papists, and or making such other Persons, as upon due Summons shall re- use or neglect to take the Oaths therein mention'd, to con- ribute towards the said Tax, for reimbursing to the Publick, art of the great Expences occasion'd by the late Conspiracy; nd for discharging the Estates of Papists from the Two hird Parts of the Rents and Profits thereof for one Year, nd all Arrears of the same, and from such Forfeitures as are herein more particularly describ'd:* And a Motion being made, That the said Bill be committed, it occasion'd a ong Debate, but the Question being put thereupon, it was carry'd in the Affirmative, by a Majority only of 15 Voices, *viz.* 57 against 42; nine of which last en- ter'd their Dissent, *viz.* the Earls of *Scarsdale, Litch- field, Strafford,* and *Pomfret*; and the Lords *Bingley, Fo- ley, Uxbridge, Gower,* and *Ashburnham.*

The

The next Day the Lords went into a Committee u[illegible] the said Bill, and the opposing Peers offer'd a Rider [illegible] be added to it, for making the *Scotch* Roman Catholic[illegible] and Nonjurors, to contribute towards the said Ta[illegible] but the same was rejected.

On Wednesday the 22d of *May*, the Bill was read t[illegible] third Time, and a Motion being made, that it shou[illegible] pass, the same was strongly oppos'd:

Those who spoke for and against it, were as follows:

For the Bill.	*Against the Bill.*
Lord Vis. *Townshend*,	Earl of *Strafford*,
Lord *Carteret*,	Lord *Trevor*,
Earl *Cadogan*,	Earl *Cowper*,
Ld. Bp. of *Hereford*,	Lord *Bathurst*,
Lord Chancellor,	Lord *Bingley*.
Earl of *Isley*,	
Duke of *Newcastle*.	

One of the Opposers represented, that this Bi[illegible] was downright Persecution; another call'd it a *Fou[illegible] Bill to inflict Pains and Penalties*, in an unprecedent[illegible] ed Manner: But they were answer'd by the Cou[illegible] Lords, *That the Papists had incurr'd far greater Penalti[illegible] so that this Bill was rather an Indulgence than a Persecuti[illegible]* They were reply'd to by the Earl *Cowper*, who, amon[illegible] other Reasons, suggested, That whatever Gloss was p[illegible] upon this Law, it would always be look'd upon [illegible] Persecution, by those, at least, who were to be affect[illegible] by it, and be punish'd for other People's Crimes; a[illegible] what Hardships the Protestants abroad might suffe[illegible] when we persecuted the Roman Catholicks at Hom[illegible] he left to their Lordships Consideration. That he w[illegible] inform'd, that the King of *Spain* and the Regent [illegible] *France* had us'd their good Offices in Behalf of tho[illegible] of their own Religion amongst us, and as on the othe[illegible] Hand, those two powerful Princes had given undoubte[illegible] Proofs of their firm Friendship to his Majesty, in th[illegible] Discovery and quashing of the late Conspiracy, so the[illegible] could not but think themselves but indifferently requi[illegible] ted for it, if this Bill should pass into a Law. H[illegible] Lordship added, That no State ever got any thing b[illegible] persecuting its Subjects, of which he gave several In[illegible] stances, and in particular, shew'd the ill Effects of Per[illegible] secution in *France*, which had driven away the wealthie[illegible]

of their Merchants and most industrious Artificers; urging, That this Bill might in like Manner, force the *English Roman* Catholicks to leave the Kingdom, and carry eight or nine hundred thousand Pounds into foreign Countries. For all these Reasons his Lordship was for rejecting the Bill; but the Question being put upon the Motion for passing the same, it was resolv'd in the Affirmative, by 48 Voices and 21 Proxies, in all 69, against 37 Voices, and 18 Proxies, in all 55: Upon which several Lords enter'd their Dissent, *viz.*

Uxbridge,	*Scarsdale*,	*Cowper*,
Bingley,	*Montjoy*,	*Weston*,
Gower,	*Pomfret*,	*Coventry*,
Foley,	*Ilay*,	*Bathurst*,
Ashburnham,	*Frdn. Cestrien'*	*Tadcaster*.
Lechmere,	*Willoughby de Br.*	
Litchfield,	*Strafford*,	

IRELAND.

HAving in the Course of our *Registers*, related the Proceedings of the *Irish* Parliaments, we will now give as short an Account as possible, of the most material Transactions of the last Session in that Kingdom.

The Proceedings of the Parliament of Ireland.

ON the 5th of *September*, 1723, the Parliament of *Ireland* met at *Dublin*, pursuant to their last Prorogation, and his Grace the Duke of *Grafton*, Lord Lieutenant of that Kingdom, being come to the House of Peers with the usual State and Solemnity, and the Commons sent for up, and attending, his Grace made the following Speech to both Houses.

My Lords and Gentlemen,

I AM fully persuaded, from the Experience I have of your unshaken Loyalty and Fidelity to his Majesty's Person and Government, that I meet you with Hearts full of Joy for the timely Discovery of a most dan-

gerous Conspiracy lately form'd and carry'd on by inve-
terate Enemies to our Religion and Liberty, in order
to subvert the happy Constitution of these Kingdoms.
As the Providence of God has been most conspicuous
in this Event, so the incessant Care of his Majesty for
the Good of his Subjects, and the vigilant Endeavours
of his Ministers, were most seasonably exerted in that
Juncture for the Preservation of all that is dear and
valuable to us. Your Duty to the King, your Love of
your Country, and your just Detestation of such wick-
ed and unnatural Contrivances, will, I am confident,
animate you to convince the World how sensible you are
of the many Blessings you enjoy under a Prince whose
Justice is duly temper'd with Mercy, and who makes the
Laws the only Rule of his Government. I am on his
Majesty's Part to assure you by his Royal Command,
that the Prosperity of this Nation, both in Church and
State, shall always be his peculiar Care, and that he
has nothing more at Heart, than to make you a happy
Protestant People.

Gentlemen of the House of Commons,

You cannot but be sensible that the necessary Meas-
us'd for preserving you from two dreadful Evils that
lately threatned his Majesty's Dominions, Rebellion and
the Plague, must have occasion'd an extraordinary Ex-
pence, as well as some Interruption to your Trade and
Commerce; however, I have the Satisfaction to observe
to you, that such has been the Frugality of those to
trusted with the Administration of Affairs, that (not-
withstanding those Exceedings) there appears to me no
Occasion to burthen the Nation on that Account, with
any new Taxes.

The traiterous Projects that were near ripe for Ex-
ecution the last Year, made it adviseable to call for the
Regiments of Foot from *Ireland*; and as the Scene of
Blood and Confusion that was then opening in Great
Britain, must soon have reach'd this Country, His Ma-
jesty could not more effectually shew his tender Re-
gard for his Subjects, than by ordering that seasonable
Reinforcement for securing Peace in that Part of his
Dominions. The impending Danger was no sooner by
God's Blessing averted, but his Majesty, upon the same
Motive, caus'd that Body of Troops to return into this
Kingdom.

I have directed the proper Officers to make up and
prepare the several Accounts and Estimates, in order

e laid before you; and I have nothing in Command from is Majesty to ask, but such necessary Supplies as may upport the Establishment, and secure the Tranquillity f the Kingdom.

My Lords and Gentlemen,

I make no Doubt but you will improve this Opportunity of our Meeting, by preparing Heads for such aws as you shall judge to be yet wanting for the ood of the Publick. I would particularly recommend your Consideration the finding out some Method for e better employing the Poor.

I cannot but think it a Matter deserving your serious ttention, to provide some Laws for the further strengthing the Protestant Interest of this Kingdom; particularly for preventing more effectually the eluding of those Being against Popish Priests, it being too notorious, that the Number of such is of late greatly encreas'd.

As for my own Part, I think myself oblig'd to promote upon all Occasions, the Welfare and Prosperity this Country. There is no good Office I shall not rejoyce to do for you; and I hope, my earnest Endeavours this End, will best express the grateful Remembrance I have of the many Instances of your kind Rerds to me, when I had the Honour formerly to be nt by the King amongst you.

I make no Question but that I find you still the same tiful Subjects I left you, and you may depend upon e for a faithful Report to his Majesty of your Behavir and Affection.

This Speech being over, the Lords came to the following unanimous Resolution, *viz.* That an humble Address be presented to his Majesty, expressing particularly the Thanks of this House, and Gratitude to him, r his great Care, in taking such proper Measures, as der God, have prevented the Execution of a wicked nspiracy, laid with Design to subvert our happy nstitution; and to declare our Resentment against the thors of so unnatural and detestable Practices; and congratulate him upon the seasonable Discovery of ojects so dangerous to the Peace of his Government; d to assure his Majesty of our unalterable Zeal to pport and defend him to the utmost of our Power ainst all his Enemies; and to make our dutiful Acowledgements for the gracious Assurance deliver'd to

us from the Throne, that the Welfare and Prosperity of this Nation shall always be his peculiar Care; and to represent to his Majesty how great our Satisfaction is for his Goodness in continuing to us his Grace the Duke of *Grafton* as Chief Governor, who has taken such equal Care both of his Majesty's Interests and the Happiness of this Country. And Lords Committees were appointed to prepare the said Address; as also to prepare an Address of Thanks to his Grace the Lord Lieutenant for his gracious Speech to both Houses of Parliament.

The Commons being return'd to their House, pass'd the following unanimous Vote, *viz.* That an humble Address be presented to his Majesty, to congratulate him on the timely Discovery, which by the Providence of God, and his Majesty's incessant Care, hath been made of the late most dangerous Conspiracy to subvert the happy Constitution of these Kingdoms; to express the just Detestation and Abhorrence his faithful Commons have of such wicked and unnatural Contrivances; to return his Majesty our sincere and hearty Thanks for the Assurance we have receiv'd from the Throne (by his Majesty's Command) that the Prosperity of this Nation, in Church and State, shall always be his peculiar Care, and that he has nothing more at Heart than to make us a happy Protestant People; to express the grateful Sense we have of his Majesty's great Goodness in continuing his Grace the Duke of *Grafton*, our Chief Governor; and to assure his Majesty, that his faithful Commons, will, to the utmost of their Power, stand by his Majesty against all his Enemies, both at Home and abroad, and will chearfully grant such Supplies as may be necessary to secure the Tranquillity of this Kingdom, and support his Government with Honour. They also unanimously resolv'd, That an Address of Thanks be presented to his Grace the Lord Lieutenant, for his excellent Speech to both Houses of Parliament.

A few Days after, both Houses, each of them in a Body, presented the following Addresses to the Lord Lieutenant, to be by his Grace transmitted, in order to be laid before his Majesty.

To the King's most Excellent Majesty,

The humble Address of the Lords Spiritual and Temporal in Parliament assembled,

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal in Parliament assembled, beg Leave to express to your Sacred Majesty our unfeigned Thanks for your Care in taking such proper Measures, as by the good Providence of Almighty God, have prevented the Execution of a wicked Conspiracy, which, if it had succeeded, would have deprivd your loyal Subjects of the invaluable Blessing of your Majesty's reigning over us, and in Consequence subverted our happy Constitution and the best Religion that ever was establish'd among Mankind. A Conspiracy in itself so odious and so detestable, that it's not within our Power to declare Resentments equal to the Enormity of it. We congratulate your Majesty upon so seasonable a Discovery, which we hope, will prevent all future Practices dangerous to the Peace of your Majesty's Government, and the Well-being of your Subjects; and we assure your Majesty, that our unalterable Zeal is such, that nothing shall be wanting within our Power, to defend and support your Royal Person and Government against all your Enemies.

We approach your Majesty with our dutiful Acknowledgments for the gracious Assurance given to us by your Majesty's Command from the Throne, that the Welfare and Prosperity of this Nation, both in Church and State, shall always be your peculiar Care. This Instance of your Royal Goodness lays us under such Tyes of Gratitude, as loyal Subjects will always think due, and be ready to pay to the best of Princes.

We are so sensible of the Merits of his Grace the Duke of *Grafton*, that we cannot in Justice forbear on this Occasion representing to your Majesty the Satisfaction we have in his being continu'd our Chief Governour, since he has so thoroughly convinc'd us, that your Majesty's Interests and the Happiness of this Country are equally his Wishes and Endeavours.

To

To the King's most Excellent Majesty,

The humble Address of the Knights, Citizens, and Burgesses in Parliament assembled.

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Commons of *Ireland* in Parliament assembled, do with Hearts full of Joy, beg Leave to congratulate your Majesty on the timely Discovery, which, by the Divine Providence, and your Majesty's incessant Vigilance and Care, hath been made of the late most dangerous Conspiracy to subvert the happy Constitution of these Kingdoms; and which, by the Blessing of God on your Majesty's most wise and prudent Measures, hath been seasonably prevented from taking Effect.

We cannot more effectually shew our Abhorrence and Detestation of such wicked and unnatural Contrivances, than by declaring the just Sense we have of the many Blessings we enjoy under your Majesty's most auspicious Reign, and by assuring your Majesty, that we are determin'd on all Occasions, to use our utmost Endeavours to disappoint all treasonable Designs and Practices of your Majesty's Enemies, against your most Sacred Person and Government.

We are bound in Duty and Gratitude to return your Majesty our most unfeigned Thanks for the Assurance we have receiv'd, (on which we entirely rely) that the Prosperity of this Nation, in Church and State, shall always be your peculiar Care, and that you have nothing more at Heart, than to make us a happy Protestant People. And we are truly sensible of your Majesty's great Goodness to us, in continuing his Grace the Duke of *Grafton*, our Chief Governor, whose steady Zeal for your Majesty's Person and Government, and prudent Administration, have render'd him highly acceptable to all your Subjects of this Kingdom.

And we assure your Majesty, that we will, to the utmost of our Power, stand by and assist your Majesty against all your Enemies, both at Home and abroad; and will with the greatest Chearfulness and Unanimity, grant such Supplies as may be necessary to secure the Peace and Tranquillity of this Kingdom, and support your Majesty's Government with Honour.

Both

Both Houſes preſented alſo their reſpective Addreſſes f Thanks to the Lord Lieutenant, as follow:

To his Grace *Charles* Duke of *Grafton*, Lord Lieutenant-General and General Governor of *Ireland*.

The humble Addreſs of the Lords Spiritual and Temporal in Parliament aſſembled.

May it pleaſe your Grace,

WE the Lords Spiritual and Temporal in Parliament aſſembled, do with the greateſt Pleaſure, gain addreſs your Grace, to congratulate your Return o this Kingdom in the high Station of Lord Lieutenant, and to return our heartieſt Acknowledgements for our excellent Speech, deliver'd from the Throne to oth Houſes of Parliament.

The Experience we have already had of your mild nd juſt Adminiſtration, gives us the faireſt Proſpect and reateſt Hopes of being made eaſy under ſo prudent a Governor; and the repeated Aſſurances your Grace has een pleas'd to give us, that you will uſe your beſt Offices in promoting the Good of this Country, leave s no Room to doubt of your good Intentions towards s.

Your Grace's propoſing to have ſuch Laws made as ay beſt provide for and employ the Multitudes of Poor that infeſt the whole Kingdom, and free us from he Crowds of Popiſh Prieſts, whoſe Numbers of late, ontrary to Law, are greatly encreas'd among us, s a clear Demonſtration that the King's Service nd the Good of this Kingdom are moſt in your Thoughts.

We ſhould be wanting to our Country and ourſelves, f we neglected laying hold of this Opportunity of erving both; and therefore we do aſſure your Grace, hat we will apply ourſelves to prepare ſuch Heads of Laws, as may be moſt conducive to relieve us from the Difficulties we labour under; and ſhall at all Times readily concur in every thing elſe that can be thought of, owards ſtrengthening the Proteſtant Intereſt of this Kingdom, and ſhewing our ſincere Duty to the King, nd Gratitude to your Grace.

To which Addreſs his Grace the Lord Lieutenant was pleas'd to give the following Anſwer.

My

My Lords,

I Think myself very happy, that by my past Conduct I have merited that Esteem and Affection which your Lordships express in your Address; and it shall be my Care to preserve the Continuance of them, by my future Services to the Kingdom.

To his Grace *Charles* Duke of *Grafton*, Lord Lieutenant General and General Governor of *Ireland*.

The humble Address of the Knights, Citizens, and Burgesses in Parliament assembled.

May it please your Grace,

WE his Majesty's most dutiful and loyal Subjects, the Commons of *Ireland* in Parliament assembled, beg Leave to return your Grace our most humble and hearty Thanks for your excellent Speech from the Throne.

When we reflect on our imminent Danger, and on the Confusion and Misery in which the late horrid and unnatural Conspiracy must have involved these Nations, more particularly the Protestants of this Kingdom, if the Designs of the Enemies of our Religion and Liberty had not been timely discover'd and defeated by the Providence of God, his Majesty's Wisdom, and the Vigilance of his Ministers; we cannot sufficiently express our Gratitude to the Divine Goodness, so signally interpos'd in our Protection, and in preserving to us those invaluable Blessings we enjoy under the Reign of a just and merciful Prince, who, in all his Actions, intends the Welfare and Happiness of his People.

Among the many repeated Instances of his Majesty's great Goodness to us, there is not any one of which we are more sensible, or which can more convince us of his peculiar Care for the Prosperity of this Kingdom, than his continuing the Administration in the Hands of your Grace, whose sincere Concern for our Interest, and generous Endeavours to promote on all Occasions, the Welfare and Happiness of this Country we have so fully experienced.

That the Expences necessary to preserve us from those two dreadful impending Evils, the Plague and Rebellion, have not encreas'd the Debt of the Nation, we acknowledge

ledge with great Gratitude, to be owing to the wise Conduct and Frugality of your Grace, and of those entrusted under you with the Government, during your Grace's Absence.

We shall endeavour to improve this Opportunity of our Meeting, by preparing such Laws, as may conduce to the Safety and Advantage of the Kingdom, and particularly of such as have been recommended to us by your Grace, by granting cheerfully such Supplies, as are necessary to support his Majesty's Government with Honour, and by using our best Endeavours to render your Grace's Administration easy.

Your Grace's Assurance of your Confidence in our Loyaly, gives us the utmost Satisfaction; and we hope, by the same steady and unalterable Zeal for his Majesty's Service, His Person and Government, and the Succession establish'd in his Royal House, by which the Commons of *Ireland* have distinguished themselves, and by the same dutiful Regard and Affection to your Grace, which you have been pleas'd formerly to observe, to merit the Continuance of your Grace's Favour.

To which Address his Grace the Lord Lieutenant was pleas'd to return the following Answer:

I cannot but receive with the highest Satisfaction your very kind and affectionate Address to me. I shall seek all Occasions to make a suitable Return, by doing every thing in my Power, which may tend to the Prosperity of this Kingdom.

On the same Day (*Sept.* 5.) the Commons appointed the four grand Committees, for Religion, Grievances, Courts of Justice, and Trade, and then, according to the Lord Lieutenant's Recommendation from the Throne, They order'd Heads of a Bill to be brought in, *for the better employing of the Poor.*

On the 7th, a Committee was appointed to inspect the State of the Hempen and Flaxen Manufactures, and to consider what was necessary to be done for the further improvement and Regulation thereof; and two Days after, Heads of a Bill were order'd to be brought in, *for the Encouragement of Tillage.*

On the 12th, the Commons proceeded to take into Consideration the Lord Lieutenant's Speech, and a Motion being made, That a Supply be granted to his Majesty, the Consideration thereof was put off to the next Day, in a grand Committee; and in the mean Time, it was resolv'd to address the Lord Lieutenant, that the Establishment Civil and Military, might be laid before the House. It was also unanimously resolv'd (on the 9th) That on the 20th, the House would go into a grand Committee, to take into Consideration the State of the Nation, particularly in Relation to the importing and uttering of Copper Half-pence and Farthings in this Kingdom. And it was order'd, that the Commissioners of his Majesty's Revenue do lay before this House an Account of the Quantity of Copper Half-pence and Farthings imported into this Kingdom since *Christmas* last, and when, and by whom they were so imported.

On the 13th of *September*, the Commons in a grand Committee, took into Consideration the Motion for a Supply, as also the Lord Lieutenant's Speech, and came to a Resolution, to grant a Supply to his Majesty; which being the next Day reported, was unanimously agreed to. The same Day (*Sept.* 14) a Committee was appointed to inspect the several Accounts, laid before the House with Power to send for Persons, Papers, and Records; after which Mr. *Thomas Bayly*, and Mr. *Dennis Daly*, were order'd to attend the Committee appointed (for the 20th) to take into Consideration the State of the Nation, in Relation to the importing and uttering of Copper Half-pence and Farthings in the Kingdom of *Ireland*. Then Mr. Secretary *Hopkins*, reported to the House, That their Address to the Lord Lieutenant, for laying before this House the Exemplification or Copy of the Patent, and all Papers that his Grace had relating to the Coining of Copper Half-pence, had been presented to his Grace; and that his Grace commanded him to acquaint this House, that his Grace had no Exemplification or Copy of the Patent for the Coining of Copper Half-pence, or other Papers which could give the House Satisfaction upon that Subject, in his Custody. Hereupon it was order'd, *Nem. con.* That the Commissioners of his Majesty's Revenue, do lay before this House all such Letters and Papers as they had receiv'd or written rela-

relating to the uttering or importing of Copper Half-pence.

The House being inform'd, that *John Read* and *Daniel Molyneux*, had been Persons active in uttering the Copper Half-pence imported into this Kingdom, it was order'd, that they attend on Monday Morning next, and lay before the House the Copy of the Patent, and all other Papers they had, in Relation to the coining of Copper Half-pence.

The House being inform'd, That Offers had been made to *Tristram Fortick*, to be concern'd as a Sharer in the Coinage of the said Copper Half-pence, it was order'd, that he attend on Monday Morning next, and lay before the House the Copy of the Patent, and all other Papers that he had, in Relation to the coining of Copper Half-pence.

The House being also inform'd, that Mr. *William Maple*, was a Person who could give them Information touching the Value of Copper Half-pence imported into this Kingdom, it was order'd, that he attend this House on Monday Morning next. It was also order'd, that the Clerk of the Rolls, or his Deputy, do lay before this House on Wednesday next, the Enrollment of the Patent granted to Mr. *Legg*, and of all other Patents relating to the Coinage of Half-pence in this Kingdom: And that the Clerk of the Paper-Office, or his Deputy, do lay before this House on Wednesday next, Copies of the Petition of the Lord *Cornwallis*, relating to the Coinage of Half-pence, the Order of Reference, and the Report of the then Attorney and Solicitor-General thereupon.

On the 16th of *September*, Mr. Secretary *Hopkins* inform'd the House, that he was commanded by the Lord Lieutenant to acquaint them, that since his Grace's Answer to the Address of this House of Friday last the 13th Instant, that he would be pleased to give Directions, that the Exemplification or Copy of the Patent, and all Papers that his Grace had, relating to the coining of Copper Half-pence, be laid before this House, his Grace had receiv'd an Exemplification of the said Patent, which he had order'd to be laid before the House. And the House being inform'd, that a Person from his Grace the Lord Lieutenant attended at the Door, he was call'd in, and at the Bar, presented to the House an Exemplification of a Patent granted to *William Wood*, Esq; for coining and making of Copper Farthings and Half-pence,

and for transporting thereof into *Ireland*, and disposing of them there, for the Term of fourteen Years; and the said Exemplification being read, it was resolv'd, *Nem. Con.* that the humble Thanks of this House be given to his Grace the Lord Lieutenant, for directing the Exemplification of the said Patent to be laid before this House.

Mr. Secretary *Hopkins* further inform'd the House, that he was commanded by the Lord Lieutenant to acquaint the House, that his Grace had receiv'd last Saturday Night,

A Copy of a Petition of *William Wood* to the Right Honourable the Lords Commissioners of his Majesty's Treasury, relating to the Coinage of Copper Farthings and Half-pence.

A Copy of their Lordships Order of Reference thereon, to the Controller of the said Coinage.

A Copy of the Report of the said Controller, and a Letter from the Lords of the Treasury to his Grace the Lord Lieutenant, touching the said Coinage.

And by his Grace's Command he presented to the House, Copies of the said several Papers and Letters. And the same being read, it was order'd, that the said several Papers and Letter do lye upon the Table, to be perus'd by the Members of the House.

Mr. *Medlicot*, one of the Commissioners of the Revenue, presented to the House,

N° I. Copies of a Letter from the Commissioners of his Majesty's Revenue to the Right Honourable *Edward Hopkins*, Esq; of a Memorial presented by Mr. *Trench* to the Lords of the Treasury, and of a Report by the Commissioners in 1705, about a Patent for the coining of Copper Half-pence.

N° II. Copy of a Letter from the Commissioners of the Revenue, to the Right Honourable the Lords Commissioners of his Majesty's Treasury.

And the same were read, and order'd to lye upon the Table, to be perus'd by the Members of the House.

The House was call'd over, and the Names of such Members as made Default to appear, were noted down, and it was order'd, that the Names of the Members, who made Default to appear this Day, be called over this Day sev'nnight; as also order'd, that such Members as

ſhall not then attend, be taken into the Cuſtody of e Serjeant at Arms attending this Houſe.

Then Mr. *John Read*, Mr. *Daniel Molyneux*, Mr. *Tri-am Fortick*, and Mr. *William Maple*, who had been or-r'd to attend that Day, were order'd to attend on riday Morning next, the Committee of the whole ouſe appointed to take into Conſideration the State of e Nation, particularly in Relation to the importing d uttering of Copper Half-pence and Farthings in is Kingdom.

September 17. The Houſe being inform'd, that *John igoin* of *Jervis-ſtreet*, Merchant, had receiv'd ſome etters touching the Coinage of Copper Half-pence; e was order'd to attend the Committee of the whole ouſe appointed to take into Conſideration the State of e Nation, particularly in Relation to the importing d uttering of Copper Half-pence and Farthings in is Kingdom; and lay before the Committee all Let-rs and other Papers that he had relating to the Coi-ge of ſuch Half-pence and Farthings. After this was reſolv'd, that the Perſons who are order'd to tend the ſaid Committee, be examin'd in the moſt lemn Manner; and order'd, that ſuch Members of is Houſe, who are Juſtices of the Peace for the Coun-or the City of *Dublin*, do examine in the moſt ſo-mn Manner, ſuch Perſons as ſhall attend the ſaid ommittee, touching the ſubject Matter of their En-iry. It was alſo order'd, that the Clerk of the Rolls, his Deputy, who were order'd to lay before this ouſe, the next Morning, the Enrollment of the Patent anted to Mr. *Legg*, and of all other Patents, relating the Coinage of Half-pence in this Kingdom; and at the Clerk of the Paper-Office, or his Deputy, who ere order'd to lay before this Houſe Copies of the etition of the Lord *Cornwallis*, relating to the Coi-ge of Half-pence, the Order of Reference, and the eport of the then Attorney and Solicitor General ereupon, do lay the ſame before this Houſe on Thurſ-y next.

On the 19th of *September*, Mr. *Cuſack Baldwin*, De-uty-Clerk of the Rolls, preſented to the Houſe, the nrollments of two Patents granted by the late King arles II. one in the 12th Year of his Reign, to Sir omas *Armſtrong*, Knt. for making Farthing Tokens Copper, the other, in the 32d Year of his Reign, Sir *Tho. Armſtrong*, Knt. and Colonel *George Legg*, for

for making Half-pence of Copper; as also the Enrolment of a Patent granted by the late King *James* II. in the first Year of his Reign, to *John Nox* of *Dublin*, Alderman, for making Half-pence of Copper. Then Mr. *James Kerron*, Deputy-Clerk of the Paper-Office, presented to the House, Copies of a Petition of *Charles* Lord *Cornwallis*, to his late Majesty King *William* III. in relation to the coining and uttering of Copper Half-pence, of the Order of Reference, of the Report of the then Attorney and Solicitor General thereupon, and of the then Lords Justices Letter to the Lords of the Treasury, and then he withdrew.

The House being inform'd, that *William Clark*, Merchant, *Alexander Montgomery*, his Servant, and *William Linn*, had been Persons active in uttering the Copper Half-pence imported into this Kingdom, they were order'd to attend the Committee of the whole House appointed to take into Consideration the State of the Nation, particularly in Relation to the importing and uttering of Copper Half-pence and Farthings in this Kingdom. The House being also inform'd, that *Thomas Howe*, Merchant, had held a Correspondence with Persons touching the Coinage of Copper Half-pence and Farthings imported into this Kingdom, he was order'd to attend the said Committee, and lay before them all such Letters and Papers as he had touching such Coinage.

After this, Mr. *Medlicott*, one of the Commissioners of the Revenue, presented to the House an Account of the Quantity of Copper Half-pence and Farthings imported into this Kingdom since *Christmas* last, and when and by whom the same were so imported. The House taking Notice, on reading the said Account, that *John Rathburn*, and *William Philips*, Merchants, were Persons concern'd in importing the said Copper Half-pence and Farthings; they were both order'd to attend the grand Committee the next Morning; as was also, *James Macculs*, Pewterer, as a Person who could give the Committee Information touching the Value of the new Copper Half-pence.

Sept. 20. The Order of the Day being read for the House to resolve itself into a Committee of the whole House, to take into Consideration the State of the Nation, particularly in Relation to the importing and uttering of Copper Half-pence and Farthings in this Kingdom; it was order'd, that the Exemplification of a Patent

nt granted to *William Wood*, Esq; for coining of Cop-
r Farthings and Half-pence, the Enrollment of the
veral Patents, and all Letters, and Copies of Letters,
titions, References, Reports, Accounts, and other
pers relating to the Coinage of Copper Farthings and
lf-pence, lying on the Table, be referr'd to the said
mmittee. Then the House resolv'd itself into the
d Committee, and after some Time spent therein,
r. Speaker resum'd the Chair, and Mr. *James Macart-*
reported from the Committee, that they had made
me Progress in the Matter to them referr'd, and that
was directed to move the House for Leave to sit a-
in, upon which it was resolv'd, to resume the Con-
eration of the same Affair the next Day, in a grand
mmittee.

Accordingly on the 21st of *September*, the Commons
a Grand Committee, resum'd the Consideration of
t Matter, and came to the following Resolutions,

Resolv'd,

I. That the Importing and uttering of Copper Half-
ce and Farthings, by Virtue of the Patent granted
William Wood, Esq; will be highly prejudicial to his
jesty's Revenue, destructive of the Trade and Com-
rce of this Nation, and of the most dangerous Con-
uence to the Rights and Properties of the Sub-
.

II. That the said *William Wood*, Esq; and his Accom-
ces, have notoriously misrepresented the State of this
tion to his Majesty, in Order to obtain the said
ent.

III. That under Colour of the said Letters Patents,
at Quantities of Half-pence of different Impressions,
of much less Weight than is requir'd by the Pa-
t, have been imported and attempted to be uttered
his Kingdom.

IV. That tho' the Terms of the said Patent had been
ctly comply'd with, there would have been a Loss to
Nation of at least 150 *l. per Cent.* by the said Coinage,
a much greater in the Manner the said Half-pence
e been coin'd.

V. That the said *William Wood*, Esq; is guilty
a notorious Fraud, in coining the said Half-
ce.

VI. That it hath been always highly prejudicial to
Kingdom, to grant the Power or Privilege of coin-
ing

ing Money, or Tokens to pass as Money, to private Persons; and that it will at all Times be of dangerous Consequence to grant any such Power to any Body Politick or Corporate, or any private Person or Persons whatsoever.

VII, Resolv'd, *Nem. con.* That an humble Address be presented to his Majesty, to beseech his Majesty, that he will be graciously pleas'd to direct such Measures to be taken, as may effectually secure his Majesty's Subjects of this Kingdom from the evil Consequences that must necessarily attend the uttering of such Half-pence and Farthings.

In Pursuance of these Resolutions, the said Address was drawn up, and agreed to by the House, and is as follows:

To the King's most excellent Majesty.

The humble Address of the Knights, Citizens and Burgesses in Parliament assembled.

Most Gracious Sovereign,

IT is with the utmost Concern, that we your Majesty's most dutiful and loyal Subjects, the Commons of *Ireland* in Parliament assembled, find ourselves indispensably oblig'd humbly to represent to your Majesty our unanimous Opinion, that the importing and uttering of Copper Farthings and Half-pence, by Virtue of the Patent lately granted to *William Wood*, Esq; under the Great Seal of *Great Britain*, will be highly prejudicial to your Majesty's Revenue, destructive of the Trade and Commerce of this Nation, and of the most dangerous Consequence to the Properties of the Subject.

We are fully convinc'd, from the tender Regard your Majesty has always express'd for our Welfare and Prosperity, that this Patent could not have been obtain'd, had not *William Wood*, and his Accomplices greatly misrepresented the State of this Nation to your Majesty, it having appear'd to us by Examinations taken in the most solemn Manner, that though the Terms thereof had been strictly comply'd with, there would have been a Loss to this Nation of at least 150 *per Cent.* by Means of the said Coinage, and a much greater in the Manner the said Half-pence have been coin'd.

We likewise beg Leave to inform your Majesty, that he said *William Wood*, has been guilty of a most notoious Fraud and Deceit in coining the said Half-pence, aving under Colour of the Powers granted unto him, mported and endeavour'd to utter great Quantities of ifferent Impressions, and of much less Weight than as requir'd by the said Patent.

Your faithful Commons having found by Experience, hat the granting the Power or Privilege of coining Money, or Tokens to pass for Money, to private Perons, has been highly detrimental to your loyal Subects, and being apprehensive, that the vesting such ower in any Body Politick or Corporate, or any rivate Person or Persons whatsoever, will be always f dangerous Consequence to this Kingdom; are enburag'd by the repeated Assurances your Majesty ath given us of your Royal Favour and Protection, umbly to entreat your Majesty, that whenever you all hereafter think it necessary to coin any Farhings or Half-pence, the same may be made as near e intrinsick Value as possible, and that whatever Proit shall accrue thereby, may be apply'd to the pubck Service.

And we do further humbly beseech your Majesty, hat you will be graciously plea's'd to give such Difections, as you in your great Wisdom shall think proer, to prevent the fatal Effects of uttering any Farhings or Half-pence pursuant to the said Patent.

As this Enquiry has proceeded entirely from our ove to our Country, so we cannot omit this Opportnity of repeating our unanimous Resolution, to stand y and support your Majesty to the utmost of our ower, against all your Enemies both at Home and broad, and of assuring your Majesty, that we will upn every Occasion, give your Majesty and the World l possible Demonstration of our Zeal and inviolable uty and Affection to your Majesty's most Sacred Pern and Government, and to the Succession as establish'd your Royal House.

The House of Peers having also taken the same Afir into Consideration, came to several Resolutions ereupon, which they laid before his Majesty in the llowing Address:

To the King's most Excellent Majesty.

The humble Address of the Lords Spiritual and Temporal in Parliament assembled.

May it please your most Sacred Majesty,

WE the Lords Spiritual and Temporal in Parliament assembled, are under the utmost Concern to find that our Duty to your Majesty and our Country, indispensably calls upon us to acquaint your Majesty with the ill Consequences which will inevitably follow from a Patent for coining Half-pence and Farthings to be utter'd in this Kingdom, obtain'd under the Great Seal of *Great Britain*, by one *William Wood*, in a clandestine and unprecedented Manner, and by a gross Misrepresentation of the State of this Kingdom.

We are most humbly of Opinion, that the Diminution of your Majesty's Revenue, the Ruin of our Trade and the impoverishing of your People, must unavoidably attend this Undertaking; and we beg Leave to observe to your Majesty, that from the most exact Inquiries and Computations we have been able to make, it appears to us, that the Gain to *William Wood*, will be excessive, and the Loss to this Kingdom, by circulating this base Coin, greater than this poor Country is able to bear.

With the greatest Submission and Deference to your Majesty's Wisdom, we beg we may offer it as our humble Opinion, that the reserving the Coining of Half-pence and Farthings to the Crown, and the not intrusting it with any private Person, Body Politick or Corporation, will always be for your Majesty's Service, and the Good of your People in this Kingdom.

In Confidence, Sir, of your paternal Care of the Welfare of this Country, we beseech your Majesty, that you will be pleas'd to extend that Goodness and Compassion to us, which has so eminently shew'd itself to all your other Subjects who have the Happiness to live under your Protection and Government; and that you will give such Directions as may effectually free us from the terrible Apprehensions we labour under, from this Patent granted to *William Wood*.

Sept. 30. Mr. Speaker reported to the Commons, that e House having the Friday before (*Sept.* 27) attended e Lord Lieutenant with the Address of this House to Majesty, about the Copper Farthings and Half-pence ely coin'd and imported into this Kingdom, his Grace s pleas'd to answer, *That he would not fail to transt this Address, in order to be laid before his Majesty in Manner they desir'd.*

Then a Petition of *Nicholas Gruther*, Merchant, setg forth, That upon the Encouragement formerly en him by the Government, and by this House, he d erected Powder-Mills, and other necessary Buildings, d is now erecting another Mill, and enlarging the orks; and praying Encouragement therein, was preted to the House, read, and referr'd to the Conteration of a Committee, which was appointed, with wer to send for Persons, Papers, and Records. After s it was order'd, that Leave be given to bring in ads of a Bill, *for further Encouragement in the finding d working of Mines and Minerals in this Kingdom.*

October 3. A Petition of many distressed Prisoners, s presented to the House, read, and referr'd to a mittee, which was thereupon appointed, with wer to send for Persons, Papers, and Records: After ich it was order'd, that it be an Instruction to the mittee appointed to inspect the Publick Records of *land*, that they enquire in the most solemn Manner, whom the Publick Offices are executed, and to whom y belong.

On the 4th of *October*, a Petition of the Master and rdens of the Corporation of Brewers and Malsters of City of *Dublin*, complaining of the Hardships they under, from the undue Methods us'd by the Gaugers, Officers of Excise, in making Returns upon Wort, in charging the Brewers according to a new inted Gallon, was presented, read, and thereupon rev'd, That this House would on that Day sev'nnight olve itself into a Committee of the whole House, to e the said Petition into Consideration. Then Mr. *feed* reported from the Committee appointed to take o Consideration the Petition of the poor distressed soners, and the poor insolvent Debtors in Custody this Kingdom; that they had come to a Resolun, which he read in his Place, and afterwards deer'd at the Table, where the same was again read, agreed unto by the House, as followeth, *viz.* Re-

solv'd, That it is the Opinion of this Committee, that the Petitioners have fully prov'd the Allegations of their Petition; Whereupon it was order'd, that Leave be given to bring in Heads of a Bill, *for the Relief of the insolvent Debtors in this Kingdom.*

Mr. *Agmondisham Vezey* presented to the House Heads of a Bill, *for further Encouragement in the finding and working of Mines and Minerals in this Kingdom.* Which were receiv'd, read, and committed to a Committee of the whole House.

On the 5th of *October*, the Commons in a Grand Committee, consider'd of the Supply; and having made some Progress in that Matter, put it off to another Sitting.

On Monday the 7th, they order'd Heads of a Bill to be brought in, *for regulating Abuses committed in buying and selling of Cattle and Sheep in the several Markets in this Kingdom.*

The next Day (*October* 8) they order'd other Heads of a Bill to be brought in, *for the further Preservation of the Game*; which Mr. *St. Leger* presented to the House accordingly; after a Committee had been appointed to enquire into the Growth of Popery, and to consider of the most effectual Means to prevent the same.

Oct. 9. Mr. *Warburton* reported from the Committee appointed to inspect the Publick Accounts of the Nation, that they had met and sub-divided themselves into several Sub-Committees, and had examin'd into the said Accounts, a general State whereof is contain'd in the Report, which he read in his Place, and after deliver'd in at the Table, together with several Abstracts and Reports from the Sub-Committees, which the same were read; and thereupon it was order'd, that the said Report, as also the Abstracts and Reports from the Sub-Committees, do lie on the Table, to be perus'd by the Members of the House.

Oct. 10. The Commons order'd, that Leave be given to bring in Heads of a Bill, *to prevent the Butchers gashing and cutting Hides and Skins, and to prevent the Frauds committed by Tanners, in their insufficient and deceitful working, dressing, and Tanning of Leather.*

Secondly, Heads of a Bill, *to redress the Abuses in making Pewter and Brass.* Thirdly, Heads of a Bill, *for the further amending the several Laws now in Force, for encouraging the Hempen and Flaxen Manufactures in this Kingdom.*

Kingdom, and for the further Improvement thereof. Fourthly Heads of a Bill, *for continuing and amending an Act, intitled, an Act for the further Amendment of the Laws in Relation to Butter and Tallow-Casks, Hides, and other Commodities of this Kingdom, and for preventing the Destruction of Salmon.*

The rest of the Proceedings of this Session of Parliament in *Ireland*, shall be continu'd in the next *Register*. We now proceed to the Parliament of *Great Britain*.

GREAT BRITAIN.

Proceedings of the Second Session of the Sixth Parliament of Great Britain, *in the Tenth Year of King* George.

ON Thursday the Ninth of *January*, the Parliament of *Great Britain* being met, according to the last Prorogation, the King went to the House of Peers with the usual State and Solemnity, and the Commons being sent for up, and attending, the Lord Chancellor, by his Majesty's Command, read his Majesty's most gracious Speech to both Houses, as follows:

My Lords and Gentlemen,

I Cannot open this Session, without congratulating you upon the Success of your Endeavours, last Year, for the Safety, Interest, and Honour of the Kingdom: The Rise of the publick Credit, the flourishing Condition of our Trade and Manufactures, and the general Tranquillity of my People, are the happy Consequences of your prudent Resolutions. It is to be hop'd, that the few Examples which were made of some notorious Offenders, will be sufficient to deter the most Disaffected from engaging in the like desperate and wicked Practices. The Augmentation you thought fit to make to our National Forces, by Sea and Land, has not only secur'd the general Quiet of the Kingdom against any sudden Attempts, or Insurrections, but has also given me such Weight and Credit in all foreign Negotiations, as greatly contribute towards the Preservation of the Peace of *Europe*.

Gentlemen

Gentlemen of the House of Commons,

I will order the proper Officers to lay before you the Estimates for the Service of the current Year. I desire such Supplies only, as you shall find absolutely necessary for preserving the Peace of the Kingdom, and for the Security of my People; and those, I hope, may be rais'd without laying any additional Charge or Burthen on my Subjects.

I must, in a particular Manner, recommend to your Care the publick Debts of the Kingdom, as the most National Concern you can possibly take into your Consideration. I am perswaded, it must be a very great Satisfaction to all my faithful Subjects, to see the sinking Fund improv'd and augmented, and the Debt of the Nation thereby put into a Method of being so much the sooner gradually reduc'd and paid off: It would be a Work truly worthy of a *British* Parliament, to begin this commendable Undertaking, and to make such a Progress therein, as, with a strict Regard to publick Faith and private Property, may pave the Way to this great and desirable End.

My Lords and Gentlemen,

In the present happy Situation of our Affairs, I have nothing more to recommend to you, than that you would make Use of the Opportunity, which your own good Conduct has put into your Hands, in considering of such farther Laws, as may be wanting for the Ease and Encouragement of Trade and Navigation, for the Employment of the Poor, and for the exciting and encouraging a Spirit of Industry in the Nation.

I am fully satisfy'd, that the Trade and Wealth of my People, are the happy Effects of the Liberties they enjoy, and that the Grandeur of the Crown consists in their Prosperity; and I am as fully perswaded, that all, who wish well to their Country, must agree with me, that it is the vainest of all Delusions, to imagine, that the Religion, Laws, and Liberties of this Kingdom, can ever be secur'd, but by supporting the present Establishment, and maintaining the Succession in the Protestant Line. Let us therefore heartily joyn in every thing, that may tend to promote our mutual Happiness, and to extinguish the Hopes of those, who long have been, and still are restless in their Endeavours to subject this Nation to the whole Train of Miseries, that are inseparable from Popery and Arbitrary Power.

The

The King being withdrawn, the Lords resolv'd to present an Address of Thanks to his Majesty, which being drawn up, and agreed to, was the next Day presented by the House to his Majesty, as follows:

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal in Parliament assembled, humbly return your Majesty the Thanks of this House for your Majesty's most Gracious Speech from the Throne, and for your gracious Acceptance of our sincere Endeavours for your Service during the last Session. We cannot in Justice, but acknowledge, that the prosperous and flourishing Condition, and the present Tranquillity of the Kingdom, are the natural Effects of your Majesty's wise and steady Government. Your Majesty's powerful Influence on all your foreign Negotiations, towards the Preservation of the general Peace, gives us very great Satisfaction. We beseech your Majesty to believe nothing can be dearer to us, than your Honour; and that we cannot think any thing of greater Importance, than the enabling your Majesty to maintain the Tranquillity of Europe.

We humbly beg Leave, with Hearts full of Duty and Gratitude, to acknowledge your Majesty's paternal Care and Tenderness, in desiring the Ease of your People from all unnecessary Burthens, and your inexpressible Goodness, in declaring from the Throne, your full Satisfaction, that the Trade and Wealth of your People are the happy Effects of the Liberties they enjoy; and that the Grandeur of your Crown consists in the Prosperity of your Subjects. We beg your Majesty to believe, that nothing shall be ever wanting on our Part, that can tend to the Increase of your Majesty's Happiness and Glory; and that we are firmly and unanimously resolv'd, with our Lives and Fortunes, to maintain our present happy Establishment, as the only solid Foundation, upon which we can hope for the quiet Enjoyment of our Religion, Laws, and Liberties.

His

His Majesty's most Gracious Answer, was as follows:

My Lords,

I *Give you my hearty Thanks for this dutiful and loyal Address. Your affectionate Concern for my Honour and Happiness is very acceptable to me. Be assur'd, it shall be my constant Care to preserve the Rights and Liberties of my People.*

Having presented this Address, the Lords adjourn'd till Wednesday the 15th of *January*.

The Commons being return'd to their House, and their Speaker having reported to them his Majesty's Speech from the Throne, the Lord *Finch* mov'd, and being seconded, it was resolv'd, *Nemine contradicente*, That an humble Address be presented to his Majesty to congratulate his safe and happy Return, and to return his Majesty the most humble Thanks of this House for his most gracious Speech from the Throne, *&c.* A Committee being immediately appointed to draw up the said Address, of which the Lord *Finch* was chosen Chairman, his Lordship, the next Day reported the said Address, which was unanimously agreed to, and on Saturday the 11th, presented by the whole House, to his Majesty, as follows:

Most Gracious Sovereign,

YOUR Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, beg Leave to congratulate your Majesty upon your Safe and happy Return into these Kingdoms; and most humbly desire your Majesty to accept the unfeigned Thanks of this House, for your Majesty's most gracious Speech from the Throne. As your Majesty is pleased to found the Grandeur of your Crown in the Security of the Liberties of your People, and your Glory in promoting their Prosperity; so they, in Return, must be excited, by all the Ties of Duty and Gratitude, to build their Happiness upon the firm and unshaken Principles of Loyalty and Affection to your Majesty's most Sacred Person and Government.

It is the greatest Satisfaction to your Majesty's faithful Commons, to find, that the Loyalty of their Resolutions, and the Justice of their Proceedings in the last Session

ession of Parliament have been attended with all the happy Consequences they expected from them; and now have been rewarded with your Majesty's Royal Approbation.

We beg Leave to assure your Majesty, that we shall readily and chearfully raise all such Supplies as shall be necessary to support the Honour of your Majesty's Government, and secure the Tranquillity of these Kingdoms.

We are highly sensible of your Majesty's Goodness to all your People, in recommending, particularly at this Time, to our Consideration the publick Debts of the Kingdom; which are so heavy a Load, and so much a National Concern, that we should be wanting to ourselves, if we did not assure your Majesty, that we will use our utmost Endeavours to improve and augment the Sinking Fund, and thereby put the National Debt into a Method of being gradually reduc'd, and paid, without any Violation of publick Faith, or Infringement of private Property: And as your Majesty is pleas'd to encourage our attempting so great and noble a Design; so we are fully perswaded, that the Wisdom and Steadiness of your Majesty's Government, will enable us to perfect this great Undertaking.

We assure your Majesty, that we know of no other Safety, under God, for our Trade and Wealth, Liberty and Property, Religious and Civil Rights, but the Security of your Majesty's most Sacred Person and Government, and the Succession in your Royal House; which we will always support and maintain against any traiterous Attempt whatsoever; being truly sensible of the Blessings we enjoy under your Majesty's most gracious and happy Government, which has hitherto preserv'd us from all those Miseries, Experience has taught us, are inseparable from Popery and Arbitrary Power.

To which Address his Majesty return'd the following most gracious Answer:

Gentlemen,

I Return you my hearty Thanks for this dutiful and loyal Address; the Wisdom and Resolution of this Parliament have principally contributed to our present happy Situation, and the Perseverance of my faithful Commons, with the same Zeal and Unanimity, in the

Dispatch of the publick Business; will be the surest Means of improving this favourable Opportunity to the best Advantage, for the Honour and Interest of the Kingdom.

The first Thing the Commons did, on the Ninth of *January*, after having voted the Address abovemention'd, settled the Grand Committees, and made the other usual Regulations, was to order new Writs to be issu'd out for electing Members in this present Parliament for the following Places, *viz.*

1. For the City of *Chichester*, in the Room of the Right Honourable *Charles Lenos*, Esq; (commonly call'd Earl of *March*) now Duke of *Richmond*, call'd up to the House of Peers.

2. For the County of *Southampton*, in the Room of the Lord *Nassau Paulet*, who, since his Election for the said County, had accepted the Office of Auditor of his Majesty's Exchequer in *Ireland*.

3. For the Town of *Kingston* upon *Hull*, in the Room of Sir *William St. Quintin*, Bart. deceas'd

4. For the Borough of *Taunton* in *Somersetshire*, in the Room of *John Trenchard*, Esq; deceas'd.

5. For the Borough of *Eastlow* in *Cornwall*, in the Room of the Right Honourable *John Smith*, Esq; deceas'd.

6. For the Borough of *Southwark* in the County of *Surry*, in the Room of *George Meggot*, Esq; deceas'd.

7. For the City of *Rochester* in *Kent*, in the Room of Sir *Thomas Palmer*, Bart. deceas'd.

8. For the Borough of *Higham Ferrers* in *Northamptonshire*, in the Roon of the Honourable *Thomas Wentworth*, Esq; deceas'd.

9. For the Borough of *Portpigham*, alias *Westlow* in *Cornwall*, in the Room of *George Delaval*, Esq; deceas'd.

10. For the Borough of *Castle-Rising* in *Norfolk*, in the Room of the Honourable *William Fielding*, Esq; deceas'd.

The Act passed the last Session of Parliament, to oblige all Persons therein mention'd, to take the Oaths to the Government, or to register their Estates, *&c.* having occasion'd great Murmurings and Clamour throughout the Kindom, a Motion was made by Mr. *Yonge*, and an

Order

rder thereupon made, that a Bill be brought in to xplain and amend the said Act.

The next Day, (*January* 10) 21 Petitions about unue Elections, were presented to the House, read, and eferr'd to the Committee of Privileges of Elections, s were also many other Petitions of the same Nature; hich in the subsequent Sittings, during this Month, ere presented to the House.

On Monday the 13th, two other new Writs were orer'd to be issu'd out, for the electing, 1st, a Burgess or *New Sarum* in *Wiltshire*, in the Room of *George-Morean Pitt*, Esq; who had accepted the Office of Register f his Majesty's Revenue of Excise; 2dly, a Knight of he Shire for the County of *Lincoln*, in the Room of ir *William Massingberd*, Bart. deceas'd. The same Day, fter Mr. Speaker had reported his Majesty's Answer to he Address of this House, a Motion was made, that a upply be granted his Majesty, the Consideration of hich was put off 'till the next Day, in a grand Committee.

Accordingly, on Tuesday the 14th, the Commons in a Committee of the whole House, consider'd of the said Motion, and resolv'd, that a Supply be granted to his Majesty; which Resolution being the next Day reported to the House, was unanimously agreed to; and hereupon it was resolv'd to address his Majesty for Estimates of the Ordinary of the Navy; of the Charge or Guards, Garrisons, and Land-Forces; of the Charge f the Office of Ordnance for Land-Service; as also for List of the Regimental and Warrant Officers in Half-Pay; and for several Accounts relating to the Navy, urplus of the *South-Sea* Fund, *&c.* Which, the subsequent Days, were accordingly laid before the House.

On Thursday the 16th, the Commissioners of the Customs were order'd to lay before the House an Account of the gross and Neat Produce of the Duties on Coffee, Tea, Chocolate, Cocoa-Nuts, and Cocoa-Paste, for seven Years last past.

The next Day (*January* 17) the House was order'd to be call'd over on Tuesday Fortnight, being the 4th Day of *February* next; and on Monday the 20th, the Commons, in a grand Committee, began to consider of he Supply, and came to some Resolutions, which being he next Day reported, were agreed to, as follows, *viz.*

1. That 10000 Men be allow'd for the Sea-Service, for the Year 1724.

2. That a Sum not exceeding 4 *l.* *per* Man, *per* Month, be allow'd for maintaining the said 10000 Men for 13 Months, including the Ordnance for Sea-Service.

On Wednesday the 22d, the Commons went again into a Committee of the whole House on the Supply; and after reading the Estimates of the Charge of the Guards, Garrisons, and Land-Forces, a Motion being made for keeping up the same Number of Troops for the Year 1724, as were maintain'd the Year before, the same occasion'd a warm Debate from One of the Clock in the Afternoon, 'till Six in the Evening: The principal Speakers for and against the Motion, were as follows.

For the Motion.	Against the Motion.
Mr. Secretary *Treby*,	Sir *Wilfred Lawson*,
Mr. *Walpole*,	Ld. *Morpeth*,
Mr. *Pelham*,	Mr. *Bromley*,
Mr. *Doddington*,	Sir *Thomas Hanmer*,
Mr. *Yonge*,	Mr. *Sloper*,
Mr. *Thomas Broderick*,	Mr. *Shippen*,
Lord *Finch*,	Mr. *Verney* (Son to the Ld. *Willoughby*)
Serjeant *Miller*,	Mr. *Hungerford*,
Mr. *Broderick*, Son to Ld. Visc. *Middleton*,	Sir *Joseph Jekyll*,
Mr. *Dominique*,	Mr. *Jeffreys*,
Mr. *Pulteney*.	Mr. *Plummer*,
	Mr. *Hutcheson*.

It is to be observed, that the main Dispute was only about the Additional Troops rais'd the Year before, which the Opposers insisted to have disbanded, because there was, at this Time, no apparent Occasion for so great a Number of Forces; but at last, the Question being put upon the Motion, it was carry'd in the Affirmative by a Majority of 240 Votes, against 100; and resolv'd,

1st. That the Number of effective Men to be provided for Guards and Garrisons in *Great Britain*, and for *Jersey* and *Guernsey*, for the Year 1724 (including 1815 Invalids) be 18264 Men, Commission and Non-commission Officers included.

2dly, That a Sum not exceeding 655,668 *l.* 8 *s.* 7 *d.* granted for defraying the Charge of the said 18264 en, for the Year 1724.

3dly, That a Sum not exceeding 151,161 *l.* be granted maintaining his Majesty's Forces and Garrisons in e Plantations, *Minorca*, and *Gibraltar*, and for Pro-sions for the Garrisons of *Annapolis Royal*, *Placentia*, d *Gibraltar*, for the Year 1724.

4thly, That a Sum not exceeding 12000 *l.* be granted on Account for Out-Pensioners of *Chelsea* Hospital, for e Year 1724.

Which Resolutions being the next Day reported, were reed to by the House.

On Friday the 24th, Mr. Speaker was order'd to cause new Writ to be issu'd out, for electing a Burgess for e Borough of *Berealston* in the County of *Devon*, in e Room of Sir *John Hobert*, Bart. who being chosen oth for the said Borough, and for that of St. *Ives* in rnwall, had made his Election to serve for the lat.

Then the Commons, in a Committee of the whole ouse, consider'd of Ways and Means, and came to the llowing Resolution, *viz.*

That towards raising the Supply granted to his Ma-esty, the Sum of two Shillings in the Pound, and no ore, be rais'd in the Year 1724, upon Lands, Tene-ents, Hereditaments, Pensions, Offices, and Personal Estates, in *England* and *Wales*, and that a proportionable ess be laid upon *Scotland*: Which Resolution being e next Day reported, was agreed to by the House; nd a Bill was order'd to be brought in thereupon. he same Day (*Jan.* 25.) the Commons resolv'd to ad-ress his Majesty,

1st. For an Account of the Dates of the first Commis-ions of all Persons now on Half-Pay for Sea-Service.

2dly, For a List of all Flag-Officers, Captains, Lieu-enants, and Masters, now in full Pay in his Majesty's ervice now in the Navy, with the Dates of the re-pective Commissions.

On Monday the 27th, the Land-Tax Bill was by Mr. *Farrer*, presented to the House, receiv'd, and read he first Time; and then two new Writs were order'd o be issu'd out, one for electing a Burgess for the Bo-ough of *Lestwithiel*, in the Room of the Lord Marquess f *Hartington*, who being chosen both for the said Bo-ough, and for that of *Grampound* in *Cornwall*, had made his

his Election for the latter; and the other, for electing another Burgess for the said Borough of *Lestwithiel*, in the Room of the Right Honourable *Philip-Dormer Stanhope*, Esq; commonly call'd Lord *Stanhope*, who since his Election for that Borough, had accepted the Office of Captain of his Majesty's Yeomen of the Guard. Then the Commons went into a grand Committee upon the Supply, and came to the following Resolutions:

1. That the Sum of 73729 *l.* 16 *s.* 3 *d.* be granted for the Office of the Ordnance for Land Service, for the Year 1724.

2. The Sum of 6270 *l.* 10 *s.* 9 *d.* for the extraordinary Expence of the Office of Ordnance for Land-Service for the Year 1723, not provided for by Parliament.

3. The Sum of 57331 *l.* 11 *s.* 8 *d.* to make good the Deficiency of the Grants for the Service of the Year 1723.

4. And the Sum of 62634 *l.* 9 *s.* 9 *d.* for making good the Deficiency of the General Fund of 724,849 *l.* 6 *s.* 10 *d.* *per Annum.* for the Year ended at *Michelmass*, 1723.

Which Resolutions being the next Day, reported, were agreed to by the House. The same Day, the Land-Tax Bill was read the second Time, and committed to a grand Committee.

On Wednesday the 29th, the Commons resolv'd to address his Majesty, for an Account of the Services incurr'd, and not provided for by Parliament, and then, in a grand Committee, made some further Progress in the Land-Tax Bill.

The next Day, being the Martyrdom of King *Charles*, the House of Lords went to the Abbey Church of *Westminster*, where the Lord Bishop of *Bangor* preach'd before their Lordships, and the Commons repair'd to St. *Margaret's*, *Westminster*, where the Reverend Dr. *Hough* preach'd before them.

The next Day, the Lords being met, order'd their Thanks to be given to the Bishop of *Bangor*, and then adjourn'd to the Wednesday following; having done nothing of Importance this Month, except the reading some Petitions upon Appeals from Decrees in Chancery.

The same Day (*Jan.* 31) the Commons in like Manner, order'd their Thanks to Dr. *Hough*, for his Sermon, and that he be desir'd to print the same: Then

Mr.

r. Speaker was order'd to issue out his Warrant for a w Writ for electing a Baron for the Town and Port of *aford* in *Sussex*, in the Room of Sir *Philip York*, Knt. ho since his Election, had accepted the Office of Atrney-General to his Majesty. After this the House solv'd itself into a grand Committee, to consider of e Supply, and came to a Resolution; and then, in nother grand Committee, made some farther Progress the Land-Tax Bill.

On Saturday the 1st of *February*, Mr. *Farrer* reported the Commons the Resolution which their Grand ommittee on the Supply came to the Day before, and hich was agreed to, *viz.* That a Sum not exceeding 14,622 *l.* 15 *s.* 10 *d.* be granted to his Majesty, for the rdinary of the Navy (including Half-Pay for Sea-Offirs) for the Year 1724.

On Monday the 3d, the Commissioners of the Cuoms were order'd to lay before the House, an Account what Quantities of Tea had been annually exported om *Christmas*, 1715, to *Christmas*, 1723; and in a Comittee of the whole House, a further Progress was made the Land-Tax Bill, and a Clause of Credit was added ereto: After which Mr. Speaker was order'd to issue t his Warrant for a new Writ, for the electing a Burss for the Borough of *Eastlow* in *Cornwall*, in the oom of *William Lowndes*, Esq; deceas'd.

The next Day, the Under-Sheriff of *London* and *Midlesex*, and the Secondaries of the Compters in *London*, ere order'd to lay before the House, an Account of rotections, and written Certificates enter'd in their reective Offices. Then a Petition of *Catharine Collingood*, Widow and Relict of *George Collingwood*, and one the Daughters of *Henry* Lord Viscount *Montague*, was ad, setting forth, 'That by the Carelesness of the Person concern'd in drawing her Marriage Settlement, and by Reason of her deceas'd Husband's Attainder for High Treason, upon Account of tha late Rebellion, she was depriv'd of her Dower, and both she and her two Daughters were become destitute of Subsistence; and praying for Relief.' And Mr. Controller aving acquainted the House, that his Majesty had no bjection to any Relief which the House should think roper to give the Petitioner, the said Petition was reerr'd to the Consideration of the Committee on the upply. After this, a Bill was order'd to be brought , for the compleating the Rebuilding the Parish Church of

of *St. Martin's in the Fields*; and in a grand Committee went through the Land-Tax Bill.

The next Day (*Feb.* 5.) a Petition of the President and College of the Facuity of Physick in *London*, for a Bill for the better viewing and searching all Drugs was read, and thereupon a Bill was order'd to be brought in according to the Prayer of the said Petition. The Speaker was also order'd to issue out his Warrant for a new Writ, for the electing a Burgess for the Borough of *Helston* in *Cornwall*, in the Room of Sir *Robert Raymond* Knt. now one of the Justices of his Majesty's Court of King's-Bench; and then, in a grand Committee on the Supply, the Commons came to several Resolutions, which being on the 6th, reported to the House, were agreed to, as follows, *viz.*

1. That a Sum not exceeding 79030 *l.* be granted to his Majesty, upon Account of reduc'd Officers of the Land-Forces and Mariners, for the Year 1724.

2. The Sum of 25469 *l.* 13 *s.* 5 *d.* for defraying several Extraordinary Expences and Services incurr'd, and not provided for by Parliament.

3. That out of the Monies arisen or to arise from the Sale or Produce of the forfeited Estates, his Majesty be enabled to grant unto the Honourable *Catharine Collingwood*, Widow, the Sum of six thousand Pounds for the Payment of her Debts, and for the Maintenance of herself and Children.

On the 7th, several Accounts were laid before the Commons, from the Exchequer, and from the Commissioners of the Customs; and a Bill was order'd to be brought in, *for punishing Mutiny and Desertion*; *and for the better Payment of the Army and their Quarters*: After which the House went into a grand Committee on Ways and Means to raise the Supply, and came to a Resolution, which being, the next Day, reported to the House, was agreed to, as follows, *viz.*

That the Sum of 11420 *l.* 1 *s.* 5 *d.* remaining in the Receipt of his Majesty's Exchequer on Arrears of former Land-Taxes, be apply'd towards raising the Supply granted for the Service of the Year 1724. The same Day (*Feb.* 8.) the Commons resum'd the further Consideration of the Report of the grand Committee on the Land-Tax Bill, which, with the Amendments, was order'd to be ingross'd.

On Monday the 10th of *February*, the Commons, in a grand Committee, consider'd further of Ways and Means

eans to raise the Supply, and came to a Resolution, hich the next Day was reported and agreed to, *viz.* hat towards the raising the Supply, the Duties on alt, Mum, Cyder, and Perry, which by former Acts Parliament, have Continuance to the 24th Day of une, 1724, be further continu'd to the 24th Day of une, 1725; and a Bill was order'd to be brought in pon the said Resolution.

Mr. *Jennings*, Secondary of the *Poultry* Compter, pre-nted to the House a List of the Names of Persons pro-sted by written Certificates from foreign Ministers, om Lords, and from Members of Parliament; which ving been read, was referr'd to the Consideration of e House that Day sev'nnight. And in the mean Time Bill was order'd to be brought in, for preventing exatious and frivolous Arrests. An ingross'd Bill *for anting an Aid to his Majesty by a Land-Tax*, &c. was ad the third Time, pass'd, and sent up to the Lords; nd the same Day Mr. *Daniel Pulteney* reported from e Committee appointed to consider of the Laws now Being, relating to Labourers and Servants in Hus-ndry, the several Resolutions they had come to, which ing agreed unto, a Bill was order'd to be brought in ereupon.

The next Day, a Bill *for the better viewing, searching, d examining all Drugs*, &c. was read the 1st, and order'd be read a 2d Time: Then Mr. Speaker was order'd issue out his Warrant for a new Writ for the electing Burgess for the Borough of *Christ-Church* in the County *Southampton*, in the Room of *Francis Gwin*, Esq; who ing chosen for that Borough, and also a Citizen for e City of *Wells* in *Somersetshire*, had made his Election serve for the said City of *Wells*. Then the House ha-ing resolv'd itself into a grand Committee, to consider the National Debt, they came to several Resolutions, hich, being reported on Thursday the 13th, were a-reed to as follows, *viz.*

1. That towards lessening the publick Debts and In-umbrances, the Annuities, payable after the Rate of *l. per Cent. per Annum*, and charg'd on the General und, by a Clause in the Act of Parliament of the ifth Year of his Majesty's Reign, (entitled, *An Act for anting to his Majesty an Aid by a Land-Tax to be rais'd* Great Britain, *for the Service of the Year* 1719) other an and except such of them as have been subscrib'd

into the capital Stock of the *South-Sea* Company, be re-deem'd and paid off at *Lady-day*, 1724.

2. That all the Principal and Interest, after the Rate of 5 *l. per Cent. per Annum*, payable for or on the several standing Orders made, or to be made, for or in Respect of the Blank Tickets only, in the Lottery for one Million four hundred thousand Pounds, granted for the Service of the Year 1714, which shall remain due and in Arrear at *Lady-day*, 1724, other than and except so much thereof as has been subscrib'd into the capital Stock of the *South-Sea* Company, be then paid off, and discharg'd.

3. That so much of the Monies arisen, or to arise, or before *Lady-day*, 1724, of or for the Surplusses, Excesses or Overplus Money, commonly call'd the Sinking Fund, and then remaining in the Exchequer, as will be necessary to redeem and pay off the said Annuities, Principal and Interest, and also to redeem the 5 Annuities which by the Act of the Ninth Year of his Majesty's Reign (entitled, *An Act for redeeming certain Annuities payable by the Cashier of the Bank of England at the Rate of* 5 l. per Cent. per Annum) were enacted to be redeem'd at *Lady-day*, 1724, shall be issu'd, apply'd, and dispos'd of, for compleating such Redemptions and Payments as aforesaid, in the first Place, and subject thereto to the same Uses as they are now appropriated by any former Act or Acts of Parliament.

4. That towards lessening the publick Debts and Incumberances, the Principal Sum of one Million seven hundred and seventy-five thousand and twenty-seven Pounds, seventeen Shillings, and ten Pence Halfpenny now owing to the Governor and Company of the Bank of *England*, in lieu of certain Exchequer Bills formerly by them deliver'd up and cancell'd; and which by the Act of Parliament of the Third Year of his Majesty's Reign (entitled, *An Act for redeeming several Funds of the Governor and Company of the Bank of* England, *pursuant to former Provisoes of Redemption; and for securing to them several new Funds or Allowances redeemable by Parliament; and for obliging them to advance further Sums not exceeding two Millions five hundred thousand Pounds at* 5 l. per Cent. *as shall be found necessary to be employed in lessening the National Debts and Incumbrances; and for continuing certain Provisions formerly made for the Expences of his Majesty's Civil Government, and for Payment of Annuities, formerly purchased at the Rate of* 5 l. per Cent.

d for other Purposes in this Act mention'd) was to be
rtended with an Annuity of eighty-eight thousand
ven hundred fifty-one Pounds, seven Shillings, and ten
ence Halfpeny, being after the Rate of 5*l. per Cent.*
r Annum, and to be redeemable by Parliament upon a
ear's Notice, be paid off and redeem'd at the Feast of
e Nativity of St. *John Baptist*, which shall be in the
ear of our Lord 1725, according to the Provisoe or
ower of Redemption contain'd in the same Act for
at Purpose.

And a Bill was order'd to be brought in, pursuant to
ree first of the said Resolutions. The same Day the
utiny Bill was read the first Time, and order'd to be
d a second; after which Mr. *Benson*, Secondary of
ood-street Compter, presented to the House a List of
e Names of Persons protected by written Certificates
om foreign Ministers, from Lords, and from Members
Parliament: And the Malt Bill having been read
e second Time, was committed to a Committee of the
hole House.

The next Day the Commons did nothing material,
d adjourn'd to Monday the 17th, when the Under-
eriff of *Middlesex* presented to the House Lists of Per-
ns protected by foreign Ministers, Lords, and Members
Parliament. The Bill *for the better viewing of all*
rugs, &c. was read the second Time, and committed; as
s also the Bill, *for punishing Mutiny and Desertion*,
hich was committed to a Committee of the whole
ouse. Then, in a grand Committee, some Progress
as made in the Malt Bill, and a Clause added thereto,
r raising the Money to be granted by the said Bill, by
ay of Lottery.

The next Day Mr. *Farrer* presented to the House the
ll, *for redeeming certain Annuities*, &c which was read the
l, and order'd to be read a 2d Time; and Mr. *Ponge* having
so presented to the House a Bill, *to explain and amend*
e Act of the last Session of Parliament, for obliging Papists,
d other Persons therein mention'd, to take the Oaths, &c.
e same was receiv'd, read the first Time, and order'd
second Reading. The same Day the King went to
e House of Peers with the usual State and Solemnity,
d the Commons being sent for up, and attending,
is Majesty gave the Royal Assent to the following pu-
ck and private Bills, *viz.*

An Act for granting an Aid to his Majesty by a Land-Tax to be rais'd in Great Britain, *for the Service of the Year* 1724.

An Act for naturalizing John Herbian, *Gent.*

An Act for naturalizing William Hodshon, Francis Mag-gnier, *and others.*

An Act for naturalizing John-Gerhardt Moller, and James Horner.

The Commons being return'd to their House, adjourn'd the Call of it to that Day Fortnight; and then took into Consideration the Lists of Protections laid before the House by the Secondaries of the two Compters of *London*, and the Under-Sheriff of the County of *Middlesex*. And the standing Order of the House of the 31st of *January*, 1716, was read accordingly, and is as followeth, *viz.*

Order'd *Nem. con.*

That all Protections and written Certificates of the Members of this House be declar'd void in Law, and be forthwith withdrawn and call'd in; and that none be granted for the future; and that if any shall be granted by any Member, such Member shall make Satisfaction to the Party injured, and shall be liable to the Censure of this House. Upon which it was order'd, *Nem. con.*

That the said standing Order be reprinted and published by setting up the same in the Lobby, at the House Door, at *Westminster-Hall Gate*, and at the several Courts in *Westminster-Hall*, and at the Inns of Court and Inns of Chancery, and at the *Royal Exchange*, and at the two Compters in *London*; and that the Knights and Commissioners of the Shires do send Copies thereof to the Sheriffs of their respective Counties, and the Citizens to their respective Cities, and the Burgesses and Commissioners of the Boroughs to their respective Boroughs.

On Wednesday the 19th, the Commons, in a grand Committee, made some further Progress in the Malt Bill: The next Day, a Petition of several of the Inhabitants of the City and Liberty of *Westminster*, about the Ill-paving of the Streets, was presented to the House, read, and referr'd to the Consideration of a Committee; and the Bill *for redeeming certain Annuities*, &c. was read a second Time, and committed to a Committee of the whole House; as was also the Bill to explain and amend the Swearing Act of the last Sessions of Parliament

ment: After which, in a Grand Committee, some further Progress was made in the Mutiny Bill.

On Friday the 21st, Mr. Speaker acquainted the House, that (pursuant to their Order) he did the Day before give Notice in Writing to the Governor and Company of the Bank of *England*, at their publick Office in *London*, of the Resolution of the House of the 13th Instant; That this House will, at the Feast of the Nativity of St. *John the Baptist*, which shall be in the Year of our Lord 1725, pay off the principal Sum of one Million seven hundred seventy-five thousand twenty-seven Pounds, seventeen Shillings, ten Pence Halfpeny, and redeem the Annuity of eighty-eight thousand seven hundred fifty-one Pounds, seven Shillings, and ten Pence Half-peny, attending thereon, pursuant to a Proviso or Power of Redemption, contain'd in an Act of the Third Year of his Majesty's Reign, entitled, *An Act for redeeming several Funds of the Governor and Company of the Bank of* England, *pursuant to former Provisoes of Redemption, and for securing to them several new Funds and Allowances redeemable by Parliament*, &c. *and for other Purposes in this Act mention'd.* After this Sir *John Guise* presented to the House a Petition of Sir *Gustavus Hume*, and *George Pratt*, Esq; and several other Persons who were Sufferers by becoming Adventurers in the Project for carrying on a Trade to the *Bahama* Islands, setting forth, "That in or about the Month of *June*, 1720, a very large Subscription for Money was set on Foot and carry'd on, under a Pretence of promoting a very beneficial Trade to the *Bahama* Islands, and likewise for a Sale of the said Islands, among such Persons as should be induc'd to become Sharers or Adventurers in the said Project; and that a very considerable Sum of Money of about sixty thousand Pounds, had been subscrib'd and actually paid into the Hands of some Persons who were at the Head of the said Project, and did undertake to manage and promote the several Interests of the Petitioners; and that from the Commencement of the said Subscription, to this Time, frequent and repeated Applications have been made to the Persons who have had the Direction and Management of the said Project; but no Manner of Satisfaction can be obtain'd by the Petitioners, who apprehend, that without the Interposition of this House, they shall not be able to recover the Sums of Money they were induc'd to subscribe and pay in;

and

'and praying the House will take the Premises into 'Consideration, and grant them such Relief as to their 'shall seem meet.' After the Reading of this Petition, a Motion being made, that the said Petition be referr'd to the Consideration of a Committee, many Members were enclin'd to the Affirmative; but Mr. Chancellor of the Exchequer did thereupon represent, that this Petition seem'd intended to open again the Wounds of the Year 1720, which the Parliament, with great Wisdom, had endeavour'd to heal; that if they countenanc'd such a Petition, they would soon have a Load of Petitions of the same Nature brought upon them; and that the Law being open, the Petitioners ought to seek their Relief there, where many had already found it. To this the Lord *Morpeth* reply'd, that the rejecting of this Petition would sound very ill without Doors, and look'd as if they screen'd their own Members; some of whom were known to have been the principal [The Lord *L*——y, Mr. *Ch*——*d*, and Mr. *D*——*q*.] Managers of the *Bahama* Project. But Mr. *Walpole*'s Reasons carry'd such Weight, that the Question being put upon the Motion, it pass'd in the Negative. Then the Order being read for the House to go into a grand Committee upon the Bill, *for redeeming certain Annuities*, &c. two Clauses were order'd to be added to the said Bill, *viz.* one for the Relief of the Honourable *Catharine Collingwood*, Widow, and her Children, out of the Produce of the forfeited Effects, pursuant to a Resolution (of the Committee of the whole House, who were to consider of the Supply granted to his Majesty) agreed unto by the House, the 6th Instant; and another Clause to make good the Loss which happen'd to the publick Revenue at the Receipt of his Majesty's Exchequer, by the Reduction of Guineas from twenty-one Shillings and Sixpence, to twenty-one Shillings each: And then the Grand Committee went through the said Bill, and made several Amendments thereto.

On Monday the 24th of *February*, the Commons order'd a Bill to be brought in for making more effectual an Act for compleating the Repairs of the Harbour of *Dover*, and for restoring the Harbour of *Rye*, so far as the same relates to the Harbour of *Rye*; as also another Bill for better regulating the Company of Wherrymen, Watermen, and Lightermen of the River of *Thames*: And then the grand Committee on Ways and Means to raise the Supply

can

ame to a Resolution, which being the next Day re-
orted to the House, was agreed to, as follows, *viz.*
That the Sum of 174391*l.* 1*s.* 1*d.* ½ being the
urplus at *Michaelmas*, 1715, of the Fund for the 9
er Cent. Annuities, and now remaining in the Exche-
uer to be dispos'd of by Parliament, be apply'd to-
ards raising the Supplies granted to his Majesty for
he Service of the Year 1714.

And it was order'd, that a Provision be made in the
Malt Bill, for applying the said Money pursuant to
he said Resolution.

Then Mr. *Gibbon*, from the Committee of Privileges
nd Elections, reported the Matter as it appear'd to
hem, touching the Election for the Borough of *West-*
ury in *Wiltshire*, with the Resolutions from the Com-
ittee thereupon, which were agreed to, *viz.* That the
Honourable *James Bertie*, Esq; and *Francis Annesly*, Esq;
ere duly elected Burgesses for the said Borough, after
hich the grand Committee went through the Mutiny
ill.

The next Day Mr. *Farrer* reported to the House the
mendments made in the grand Committee to the Bill,
r redeeming certain Annuities, &c. which being agreed
, the said Bill was order'd to be ingross'd. Then,
Petition of *Robert Dalzell*, late Earl of *Carnwath*,
as presented to the House, and read, setting forth,
That he being unhappily engag'd in the late Rebel-
lion in the Year 1715, was soon after attainted of
High Treason, whereupon his Estate extending to
864*l. per Annum*, became forfeited, *&c.* that the Pe-
titioner being throughly sensible of his Majesty's Mer-
cy, had since his Attainder continu'd to live as a du-
tiful and obedient Subject, but by Reason of the said
Attainder, is depriv'd of a necessary Subsistance for
himself and three Children now living, and being
oblig'd to contract several Debts, is reduc'd to the
utmost Extremity, and therefore praying, that the
House would make such a Provision for the Mainte-
nance and Support of the Petitioner and his Children,
as they should think fit: And Mr. Controller there-
pon acquainting the House, that the Contents of the
aid Petition had been laid before his Majesty, and
hat his Majesty had no Objection to any Relief that
his House might think proper to give the Petitioner;
he said Petition after some Debate, and a Division
hereupon, was referr'd to the Committee of the whole
House

House on the Supply. After this in a grand Committee the Commons consider'd further of that Part of the King's Speech which relates to the National Debt, and after some Debate and Opposition, came to several Resolutions, which being the next Day reported to the House, were agreed to, as follows, *viz.*

1. That the several Duties upon Coffee and Tea granted (by one Act of Parliament made in the 6th Year of the Reign of his late Majesty King *William* III. and by another Act of Parliament made in the 3d Year of the Reign of her late Majesty Queen *Anne*, and by another Act of Parliament made in the 10th Year of the Reign of her said late Majesty Queen *Anne*) for several Terms of Years in the said respective Acts mention'd, and which have since been continu'd by several Acts of Parliament, and made perpetual, subject to Redemption by Parliament, shall from and after the 24th Day of *June*, 1724, cease, determine, and be no longer paid.

2. That the several Duties upon Cocoa-Nuts, imported from the *British* Plantations, granted by an Act of the 6th Year of his late Majesty King *William* III. and by an Act of the 3d Year of her late Majesty Queen *Anne*, for several Terms of Years in the same respective Acts mention'd, and which have been since continu'd by several Acts of Perliament, and made perpetual, subject to Redemption by Parliament, shall from and after the 24th Day of *June*, 1724, cease, determine, and be no longer paid.

3. That in lieu of the said Duties so to be determin'd an Inland Duty be charg'd upon all Coffee and Tea sold in *Great Britain*, by Wholesale or Retail; and upon all Chocolate made or sold in *Great Britain*, to be paid by the respective Sellers of such Coffee and Tea and by the respective Makers or Sellers of such Chocolate.

4. That the said Duty upon all Coffee sold in *Great Britain*, be after the Rate of 2 *s.* *per* Pound, *Averdupois*, and in that Proportion for a greater or lesser Quantity, over and above all Customs and Duties which shall remain payable to his Majesty for the same upon the Importation thereof.

5. That the said Duty upon all Tea to be sold in *Great Britain*, by Wholesale, or Retail, shall be after the Rate of 4 *s.* *per* Pound Weight *Averdupois*, and in that Proportion for a greater or lesser Quantity, over

nd above all Customs and Duties which shall remain payable to his Majesty for the same upon the Importation thereof.

6. That the said Duty upon all Chocolate to be made or sold in *Great Britain*, shall be after the Rate of 1 *s.* 6 *d. per* Pound Weight *Averdupois*, and in that Proportion for a greater or lesser Quantity, to be paid by the respective Makers or Sellers thereof.

7. That from and after the twenty-fourth Day of *June*, 1724, no Chocolate ready made or Cocoa-paste, shall be imported or brought into *Great Britain*, from any Part or Parts beyond the Seas.

8. That the Inland Duties to be rais'd and levy'd upon Coffee, Tea, and Chocolate, be appropriated and apply'd to the same Uses and Purposes as the former Duties upon Coffee, Tea, and Cocoa-Nuts, to be repealed and determined, are appropriated and apply'd.

9. That the several Subsidies and additional Imposts which shall remain payable to his Majesty for all Tea imported, upon the Importation thereof, be after the Rate of 4 *s.* for every Pound Weight *Averdupois*, instead of the present Method of paying the said Duties, according to the reduc'd Value by the Price at the Candle.

10. That the several Subsidies and additional Imposts which shall remain payable to his Majesty for all Coffee imported, upon the Importation thereof, be after the Rate of 7 *l.* for every hundred Weight, containing one hundred and twelve Pounds Weight *Averdupois*, instead of the present Method of paying the said Duties according to the Value sworn by the Importers.

11. That the several Subsidies and additional Imposts which shall remain payable to his Majesty for all Cocoa-Nuts imported from the *British* Plantations, upon the Importation thereof, be after the Rate of fifty Shillings for every hundred Weight, containing one hundred and twelve Pounds Weight *Averdupois*, instead of the present Method of paying the said Duties according to the Value sworn by the Importers: And a Bill was order'd to be brought in pursuant to the said Resolutions.

The same Day (*Feb.* 27.) Sir *Samuel Lennard* reported from a Committee the Resolutions they had come to upon the Petitions of the Town and Port of *Hasting*,

of the Town of *Great Yarmouth*, &c. which were agre to, *viz.*

1. That the Method us'd by the Stow Boats and Smack under Pretence of fishing for Sprats, is very destructiv to the Fishery of this Kingdom.

2. That there ought to be a particular Time limit for taking of Herrings at *Yarmouth*; and also a parti cular Time limited for the taking of Herrings at *Hastings*, *Rye*, *Folkstone*, and *Dover*; after which Time the ought not to be permitted to fish for Herrings, unle for Baits. And a Bill was order'd to be brought in pu suant to the said Resolutions.

On Friday the 28th, Mr. Secretary *Treby* reported the House the Amendments made in a grand Commi tee, to the Mutiny Bill, which were agreed to, and the Bill order'd to be ingross'd; and then in a grand Committee, the Malt-Bill was gone through, and sever Amendments were made thereto. The next Day, bei ing the last of *February*, the ingross'd Bill, *for redeem certain Annuities*, was read the third Time, pass'd, an sent up to the Lords: And then in a grand Committee the Commons went through the Bill, *to explain and a mend the Swearing Act*, and made several Amendment thereto: After which, the House adjourn'd 'till Tuesday the third of *March* next.

On Thursday the 6th of *February*, the House of Lord order'd, that the Clerks and Inferiour Officers attendin their House, should not be at any Time suspended, o displac'd from their Offices or Employments, withou Leave of the House.

On Tuesday the 25th of *February*, the Order of the Day being read for taking into Consideration the seve ral Lists of Certificates of written Protections, deliver the Day before at the Bar, by the Secondaries of the two Compters in *London*, the Under-Sheriff of *Middlesex*, and the High Bailiff of *Westminster*, which are entred in their respective Offices; and the said Officers at tending, were call'd in, and the standing Order of this House of the 15th of *April*, 1712, in Relation to writ ten Protections, being read, they were severally exa mined as to their Knowledge of the said Order, as also touching the Manner or Method of their entring writ ten Protections; and then they were directed to with draw: And the following Order and Declaration was made.

Ordered

Ordered and Declared, by the Lords Spiritual and emporal in Parliament assembled, that all the said ritten Protections are null and void; and all other rotections, which shall be at any Time hereafter, gi- n contrary to the said standing Order, shall be taken be null and void; and that no Sheriff, Under-Sheriff, eputy-Sheriff, Secondary, or other Officer, whose Du- it is to issue any legal Process, or to execute the me, or cause the same to be executed, shall receive or low, or have any Regard to, or make any Entry in s Office, of any written Protection, which is or shall sign'd, or pretended to be sign'd by any Lord of this ouse; but that nothing herein contain'd, shall be derstood in any Sort to derogate from the ancient ivilege of the Lords of Parliament, with Respect to eir menial Servants, and those of their Family, as so those employ'd necessarily and properly about their ates, as well as their Persons, or to expose to Ar- s, those who are really Servants to them, as afore- d.

And it being mov'd, that the same be made a standing der; order'd, That on Saturday next, this House will e the said Motion into Consideration; and the Lords be summon'd, and the several Officers who attended is Day, then again to attend.

Accordingly, on the 29th of *February*, the House pro- ded to take into Consideration the abovemention'd otion for making the foregoing Order and Declaration standing Order; and the same being read, was or- r'd to be enter'd on the Roll of the standing Or- rs of this House, and to be forthwith printed and blish'd, and affix'd on the Doors belonging to this ouse, and *Westminster-Hall*, to the end all Persons might e better take Notice of the same.

On the 3d of *March*, there was laid before the Com- ons, from the Commissioners of the Customs, two scounts relating to Whale Fins, imported for seven ears last past, and the Duties thereupon. Then the rd *Morpeth* from the Committee appointed to consider e Petition of several of the Inhabitants of the City *Westminster*, reported the Resolutions they had come thereupon, which were agreed to, *viz.* That one of e Reasons of the Badness of the Pavement of the reets, is the not observing a due Level. 2. That other Cause of the Badness of the Pavement of the reets, is, that each Inhabitant is oblig'd to pave be-

fore his own House without being limited, either in Time Materials, or Method of doing it. 3. That whilst the Pavement is under the Direction of the respective Inhabitants, it will be always subject to the Inconveniences complain'd of. 4. That the Laws now in Being for paving and cleansing the Streets, are insufficient to remedy the said Inconveniences. 5. That the Inhabitants be exempted from the Charge of paving and cleansing before their respective Houses, and from the Penalties incurr'd by neglecting the same. 6. That for the future the Expence of paving and cleansing the Streets, be defray'd by a Pound-Rate upon the Inhabitants. 7. That towards the Ease of the Inhabitants, and in Aid of the Pound-Rate, a Tax be laid on all Persons who keep Coaches, and on all Wheel-Carriages shod with Iron. 8. That a Commission be appointed with proper Authorities and Restrictions to execute such Powers as shall be judg'd proper for the better paving and cleansing the Streets. 9. That the several Laws now in being, relating to the paving and cleansing the Streets, so far as they relate to the City of *Westminster*, and Suburbs thereof, be repeal'd: And a Bill was order'd to be brought in upon the said Resolutions. Then a Petition of several Merchants and other Traders in and about the City of *London*, was presented to the House, and read, setting forth, 'That great Quantities of foreign 'Gold and *English* Broad Pieces are offer'd in Payment to 'the Petitioners in the common Course of Trade, and 'on Inland Bills of Exchange, which if they refuse 'to take, they are prevented receiving their just Debts; 'that when the Petitioners have receiv'd such Gold, 'they cannot pay away the same for Customs, Excise, 'or any other Taxes, which is a very great Difficulty 'and Hardship upon them, and a great Obstruction to 'Trade, and the due Circulation of Money, and therefore praying, that *English* Broad Pieces, and all foreign Gold may be prohibited passing in Payment, or 'else may be taken for Customs, Excise, and all other 'Branches of the publick Revenue, or that the House 'will afford them such other Relief as shall seem 'meet.

This Petition was back'd with the following Paper which was deliver'd to the Members, *viz.*

Reason

asons humbly offered, to prohibit English Broad Pieces, *and all foreign Gold, from passing in Payment, unless they are taken in all the publick Revenues.*

MANY Persons that import foreign Gold, pick out the lightest Pieces to pass in Payment, and l the heaviest by Weight; which are frequently coin- into Guineas, and the light Pieces are impos'd upon e Manufacturers, and other Traders; and when they ve been forc'd to take such Gold, the same again is npos'd upon others, and such as will not comply there- ith, are kept out of their Money, which produceth ma- y Difficulties and Quarrels amongst the People, and is great Obstruction to Trade, and the due Circulation of Money.

II. Those who have Money to pay on any Part of the King's Revenue, and particularly on Bills of Exchange o the Excise-Office, or Custom-House, are put to very reat Difficulties to procure Money to answer the De- nands of the Government; for though they are oblig'd o receive such Gold, none of the publick Officers be- onging to the Crown will receive it again; so that the Traders are not only under great Difficulties, but the Payments on the Revenues are daily postpon'd, which s a great Loss to the Publick.

III. Foreign Gold, and particularly Moidores, are asily counterfeited, and some are done so exactly, hat few can distinguish the Bad from the Good, nd *English* Broad Pieces are often Clipt. Such Gold passing in Payment, is a great Damage to the Na- ion.

IV. In order to prevent these great Inconveniences, 'tis humbly propos'd, That *English* Broad Pieces, and all foreign Gold whatsoever, may be prohibited passing in Payment, and then they will be quickly coin'd into Guineas, which will make such an Alteration in the Cir- culation of Money, that Trade in general will quickly feel the good Effects thereof.

V. The Objection that some Persons may make to the foregoing Proposals, is, that it will discourage the Importation of foreign Gold; but that is only a vulgar Error; for if the Balance of Trade is in our Favour, there will be no less Quantity of Gold imported, which as it comes in, will naturally go to the Mint to be coined which has always been the usual Chanel, 'till of late

Years,

Years they have found out this new Method of picking out the lightest Pieces, and imposing them upon the Subjects, and melting the heaviest, or selling them by Weight.

VI. But if 'tis thought that the foregoing Reasons are not sufficient, but that it is an Advantage to the Nation, that Broad Pieces and foreign Gold should pass in Payment, then 'tis humbly propos'd, that such Gold shall be taken for Customs, Excise, and all Payments whatsoever that are made to the Government: For it seems unreasonable, that any coined Money should pass in Payment between Subject and Subject, but what will be taken in all the publick Revenues.

And if it be suppos'd, that the Currency of foreign Gold in the Way of Trade, promotes the Importation thereof, the extending its Currency to all the publick Offices, must much more promote such Importation.

The said Petition was order'd to be taken into Consideration on that Day sev'nnight, after which, upon the Lord *Gage's* Motion, a Bill was order'd to be brought in for Relief of insolvent Debtors. It was also order'd, That Mr. Speaker do issue his Warrant for a new Writ for electing a Burgess for the Borough of *Westbury* in *Wiltshire*, in the Room of the Honourable *James Bertie*, Esq; who being chose a Knight of the Shire for *Middlesex*, and also a Burgess for that Borough, had made his Election for the said County.

The farther Proceedings of this Parliament shall be continu'd in the next *Register*.

SPAIN.

THE Catholick King *Philip* V. having taken a Resolution to make an absolute Renunciation of the Crown of *Spain*, in Favour of his eldest Son the Prince of *Asturias*, and to retire with the Queen his Consort, to *St. Ildefonso*, there to devote the Remainder of his Days wholly to the Service of God, and the Care of his Soul, the said Renunciation was made in the following Manner:

On

On the 15th of *January*, 1724, King *Philip* sent from t. *Ildefonso* the Marquess *de Grimaldo*, his Counsel-or, and Principal Secretary of State, with a Packet for he Prince of *Asturias*, who had return'd the Day be-ore from *St. Ildefonso* to the *Escurial*. The Marquess eing arriv'd there, and having acquainted the Prince ith his Message, his Highness sent for the Infantes o come to his Apartment; and also order'd the follow-ng Persons to be sent for thither, to be Witnesses of hat should pass, *viz.* the Count *de Altamira*, the Mar-uess *de Valero*, the Duke *de San Pedro*, the Count *de lazar*, the Marquess *de Magny*, the Marquess of *Sa-teli*, and the Prior of *San Lorenzo*; who being all pre-nt, the Marquess deliver'd the Packet to the Prince, ho return'd it to him open'd, that he might read what as in it, which was a Renunciation of the Crown by e King his Father, in Favour of his Highness, ac-mpany'd with a Letter to him. King *Philip* sent like-ise on the 15th, to the President of the Council of *stille*, his said Renunciation in Form; which being d on the 16th in that Council, was order'd to be rthwith publish'd throughout the Kingdom. The id Renunciation and Letter, are as follow:

rm of King Philip *the* V's *Renunciation of the Crown of* Spain.

HAVING these four Years consider'd with due Re-flection, and maturely, the Miseries of this Life, rough the Infirmities, Wars, and Troubles, with hich God has been pleas'd to visit me during the enty-three Years of my Reign; and having like-ise consider'd, that my eldest Son *Don Lewis*, Sworn ince of *Spain*, is of sufficient Age, is marry'd, and s Capacity, Judgment, and the Qualities fit for ruling d governing justly and happily this Monarchy; I have termin'd, absolutely to quit the Possession and Admi-stration of it, renouncing the same, with all its Domi-ons, Kingdoms, and Lordships, in Favour of the said ince *Don Lewis*, my eldest Son; and to retire with e Queen, in whom I have found a ready Disposition d voluntary Inclination, to accompany me to this ace and Seat of *St. Ildefonso*, here to serve God, dis-gag'd from all other Cares, to meditate on Death, and seek my Salvation. This I communicate to the Coun-

cil

cil for their Information, to be notify'd to the proper Persons, that my Resolution may be made known to all.

At St. Ildefonso, *this* 15*th of* January, 1724.

Copy of the Letter written by King Philip V. *to his Son King* Lewis, *from* St. Ildefonso, *the* 14*th of* January, 1724.

IT having pleas'd the Divine Majesty through infinite Mercy, my well beloved Son, to make me sensible for some Years past of the Nothingness of the World, and the Vanity of its Grandeurs, and at the same Time to raise in me an ardent Desire of eternal good Things; which, without any Comparison, ought to be preferr'd to those of this Earth, which God gave us only to be consider'd in that View: I have judg'd that I could not make a better Return to the Favour of so good a Father, who calls me to serve him, and who has bestow'd on me through my whole Life, so many Marks of a visible Protection, by which he has deliver'd me as well from the Infirmities that he has been pleas'd to lay upon me, as from the difficult Occurrences of my Reign, during which he has protected me, and preserv'd the Crown against so many united Powers who attempted to wrest it from me; than by sacrificing to him, and laying at his Feet that Crown, to think only of serving him, to bewail my past Offences, and to render myself the less unworthy to appear in his Presence, when he shall be pleas'd to call me to his Tribunal, much more tremendous to Kings than to other Men. This Resolution I have taken with the greater Ardour and Joy, because, happily for me, I found, the Queen, whom God has given me for my Spouse, entertain at the same Time, the same Sentiments, and determin'd with me to trample under Foot the Nothingness of the Grandeurs, and perishing good Things of this Life. We have therefore some Years resolv'd, both of us with one Consent, by the Favour of the most Holy Virgin *Mary*, our Lady, to put this Design in Execution; and I now set about it the more cheerfully, because I leave the Crown to a Son whom I love with the greatest Tenderness, who is worthy to wear it, and whose Qualities give me certain Hope that he will discharge all the Duties of a Dignity so much more terrible than I am able to describe it. Yet

my beloved Son, make yourself sensible of all the Weight of that Dignity, study to perform all that it requires of you, rather than suffer your Eyes to be dazled with the flattering Splendor of what surrounds you. Think that you are not a King on any other Condition, than to see that God is serv'd, and that your People are happy: That you have above you a Lord, who is your Creator and Redeemer, who has heap'd Benefits on you, to whom you owe all that you have, and to whom you owe even yourself. Employ your Vigilance therefore, for his Glory, and exert your Authority in whatever may tend to promote it. Protect and defend the Church, and the Holy Religion, with all your Might, even with the Hazard, if need be, of your Crown, and of your Life: Spare nothing that may serve to extend it even to the most remote Countries; deeming it a Felicity incomparably greater, to have them under your Command for propagating the Knowledge and Service of God in them, than for the Extent to which they may enlarge your Dominions. Prevent, as much as possible, Offences against God in all your Kingdoms; and use all your Power that he may be serv'd, honour'd, and reverend by all that shall be subject to your Dominion. Preserve ever a great Devotion to the most Holy Virgin, and put yourself, as well as your Kingdoms, under her Protection, seeing you cannot by any other Means, better obtain what may be needful for you, and for them. Be always, as you ought, obedient to the Holy See, and to the Pope, as the Vicar of Jesus Christ. Protect and defend ever the Tribunal of the Holy Inquisition, which may be call'd the Bulwark of the Faith, and to which it owes its Preservation in all its Purity in the Dominions of *Spain*; so that the Heresies which have afflicted the other Parts of *Christendom*, and produc'd such horrid and deplorable Ravages in them, could never be able to get Footing here. Bear Respect always to the Queen, and consider her as your own Mother, not only as long as God shall continue my Life, but after my Death; if it be his Will to take me first out of this World; answering, as becomes you, the affectionate Friendship she has constantly shewn you. Be careful to support her, that she may not want any thing, and that she may be respected as she ought, by all your Subjects. Love your Brothers, looking on yourself as their Father, since I substitute you in my Room, and give them such Education as is worthy of Christian Princes. Do

Justice equally to all your Subjects, high and low, wi
out Exception of Persons. Defend the low against t
Violences and Exactions that may be set on Foot
gainst them. Redress the Vexations the *Indians* suf
Ease your People as much as you can; and in so doi
supply what the turbulent Times of my Reign wo
not permit me to do, and which I most sincerely w
I had done, in Return to the Zeal and Affection wh
they have always shewn for me, which I shall alw
keep impress'd on my Heart, and which you ought
to bear in Mind. To conclude, have continually be
your Eyes two holy Kings, who are the Glory of Sp
and of *France*, *St. Ferdinand*, and *St. Lewis*: Th
propose to you for your Example, and they ought
move you the more, because you are illustrious by t
Blood: As they were great Kings, and at the same T
great Saints, imitate them in each of those Glories,
may their Example lead you chiefly in the last, for
is the essential one. I beseech God with my w
Heart, my well beloved Son, to grant you his G
and to endue you with those Gifts which shall be n
sary to you in your Administration; that I may
the Consolation to hear it said in my Retirement,
you are a great King, and a great Saint. This wi
joyce a Father who loves, and will ever love you
derly, and hopes you will ever preserve those S
ments towards him, which he has hitherto found
Experience to be in you.

I the King.

The above Renunciation having been read in
Council of *Castille*, the said Council declar'd, that
Lewis might immediately take the Government
him, without assembling the *Cortes*, as having be
ready sworn to and acknowledg'd Prince of *Spain*.

A Circular Letter was likewise sent by his Ma
Direction, to the Persons whom before his Renunci
he thought fit to establish in the chief Offices o
Court and Government; which Letter is as follow

THE King having resolv'd to retire, and to
draw himself absolutely from the Governm
this Monarchy, by renouncing the Crown, with
Dominions, Kingdoms, and Lordships, in Favour
eldest Son Don *Lewis*, Sworn Prince of *Spain*, hi
jesty commands me to acquaint you, that his W

u continue to serve the said Prince in the Employ-
ent you now possess.

Grimaldo.

ployments and Promotions which the King left settled at the Time of his renouncing the Crown.

The King's Houshold.

Steward, the Duke of *Escalona.*
Master of the Horse, the Duke of *Arco*, and the Re-
sion to the Count *de Santistevan del Puerto*, on whom
Presidentship of the Orders was conferr'd.
Butler, the Count *de Altamira.*
Gentlemen of the Bedchamber, the same who were so
ore.
Captains of the Life-Guards, the same who were so
ore.
Captain of the Company of Halbardiers, the Prince of
Iseran.

The Queen's Houshold.

Steward, the Marquess *de Santa Cruz*, and the Re-
sion to the Marquess *de Valero*, on whom the Presi-
tship of the *Indies* was conferr'd.
Master of the Horse, the Duke of *Jovenazo*, Prince of
Iamar,
All the other Employments, of both Houshold, were
firm'd to those who serv'd before.

The Cabinet Council.

The Archbishop of *Toledo.*
The Bishop of *Pampelona*, Inquisitor-General.
The President of *Castille*, the Marquess *de Miraval.*
The Marquess *de Valero.*
Don *Miguel Francisco Guerra.*
The Marquess *de Lede.*
The Count *de Santistevan del Puerto.*

Secretaries.

f the Dispatches of State and Foreign Affairs, Don
Baptist Orendain.
f the Dispatches relating to the *Indies*, and the *Ma-*
, Don *Antonio Sopenna.*
The rest confirm'd in their Employments.

New Knights of the Golden Fleece.

The Duke of *Mirandola*.
The Duke of *Medina Celi*.
The Duke of *Medina Sidonia*.
The Duke of *Arco*.
The Marquess *de Santa Cruz*.
The Marquess *de Grimaldo*.
The Marquess *de Valouze*.
The Marquess *Scotti*.
Don *Antonio de Arduino*.

The abovemention'd Cabinet-Council consisting of seven Persons, all *Spaniards*, except the Marquess de *Lede*, who was a Native of *Flanders*, were entrusted with the chief Direction of Affairs, under the new King; who sent to desire Leave of his Father to pay his Duty to him, and kiss his Hand; but this was not granted for the present; nor was the Offer made at the same Time, accepted, to let the Life-Guards contiue to attend their Majesties at *St. Ildephonso*. However, the new King order'd, that a Guard of twelve Men, with an Officer, and a Cadet, should keep at the Castle of *Balsain*, to be at Hand in Case of any unforeseen Accident, that Castle being but a small Way distant from *St. Ildefonso*; where King *Philip* remain'd attended only by the Marquess *de Grimaldo*, and the Marquess *de Valouse*; and the Queen, by Donna *Laura*, who had been her Nurse, and by two Ladies of her Bedchamber. The Pension which their Catholick Majesties reserv'd to themselves, was 600,000 Crowns a Year, making somewhat more than 100,000 Pistoles; and they likewise reserved 150,000 Crowns for each of the Infantes.

King *Philip*, a few Days before his Abdication, Published an Edict, the Preamble whereof being very remarkable, deserves a Place in this Collection. The Preamble is as follows:

HAving consider'd what was represented to me by the Council in their Report of the 19th of *October* hereto annex'd, and having likewise consider'd all that was represented to me at the same Time, by the Council of the Treasury, upon the different Points referr'd to them; particularly the putting into a Method on pr

Conditions, the Farms of the Royal Revenues, so far as the Remedies propos'd for relieving the Poverty and Misery which the People now labour under, may be attain'd: And having consider'd all with the greatest Attention, and with the sincerest Desire to procure the Relief which the miserable Condition the whole Kingdom is in, and with which I am most sensibly affected, does indispensably require; well understanding that the Means of such Relief must be effectual as they are absolutely necessary: I have resolv'd, in order to prevent for the future the Grievances and heavy Damage which the People have suffer'd by the Farmers and Collectors of the Royal Revenues, that the Contracts for the Farms shall henceforward be reduc'd and restrain'd by the general Laws, *&c.*

Soon after King *Philip*'s Abdication, the Jesuit *Bermudas*, Confessor to that Prince, wrote the following Letter to the Rector of the Imperial College at *Madrid*.

I Do not at all wonder that your Reverence should be struck with so great Admiration at the heroick Action which the King has newly perform'd. Doubtless, *Philip* V. is become more glorious by resigning the Kingdom of *Spain*, than his Grandfather *Lewis the Great*, could make himself by his Conquests, and the Splendor of his Victories. An Action so beautiful and so great, cannot be sufficiently priz'd: But what would more surprize the whole World, is that Tranquillity, that Joy, with which he blesses God. He appears more contented with having renounc'd a Crown for God, than he could be, had he made himself Master of all the Kingdoms of the Earth. You can have no Notion of this without seeing him. Much Discourse will be rais'd among Men; some will blame, some will approve, some will be astonish'd at, perhaps some will ridicule, this Resolution. All this he is very sensible of, but he seeks not the Applause of Men, he fears not their Censures, he even laughs at their Raillery. I never thought to have seen any thing like this; but God, for edifying his Church, for confounding Libertines, and for encouraging the Pious, has been pleas'd to give us so great an Example.

The

The Letter which King *Lewis* wrote in Answer to that of his Father, inserted above, is as follows:

SIR,

AFTER having with all *Spain*, admir'd that Heroick Action at which the whole World is astonish'd, and that Magnanimity with which you determin'd yourself to trample the Grandeur of this World under your Feet, and to renounce Ambition with all its Splendour and Charms; I know not, when I come to reflect on the Reasons which engag'd you to it, whether I have most Cause for Joy or Fear. I am not ignorant, that nothing is more glorious than to reign over an infinite Number of People; neither am I unacquainted with the Obligations which that supreme Rank, to which so many indispensible Duties are attached, lays me under. As often as I think on the pious Motives which induc'd you to throw down the heavy Burden of Royalty, I tremble to see myself expos'd on a Sea so tempestuous as that on which I am now embark'd, at an Age so tender and unexperienc'd.

Far from suffering my Eyes to be dazled with the gaudy Lustre of a Crown, I feel the Weight of it, and know all its Duties. I am very sensible, that when God places us over other Men, he puts the Supreme Power into our Hands, not so much to command, as to protect and defend them in all Times of Danger. We are as much their Fathers, as we are their Sovereigns: We ought to treat them more like our Children, than our Subjects; and that our Reign over them may be such, as that their Obedience may be the Effect rather of Love than of Fear; because the true Glory of Kings consists in being belov'd by their Subjects; and that Princes cannot raise more magnificent Trophies any where, than in the Hearts of their People.

I shall therefore now take all the Care that I can to tread in your August Steps, and to imitate you as far as lies in my Power, not only in Matters relating to the Government of those vast Dominions which you have left to my Direction, but also in Things which have a Respect to that supreme Majesty, for whose Sake you have left all Things; that Being, who alone deserves to be the Object of all our Attention and Application.

I shall

I shall do my utmost to render myself worthy of the Title I bear, and not to contradict those pious Sentiments with which you ever inspir'd me. I know that the first and greatest Duties of a King, is his Religion, which he ought not only to profess openly, but also to protect aud propagate as much as lies in his Power. I shall continually keep before my Eyes the Examples of those Great Kings our Ancestors, of whom you so often spoke to me: Their Conduct shall always be the Rule of my Actions; I will conform myself as much as possible to those illustrious Models; and their Zeal for our holy Religion, shall serve me as a Looking-Glass, to which I shall always study to conform.

Being perswaded that Kings are answerable before God for the Crimes which their Subjects commit by the ill Examples which they gave them; and that as they are rais'd higher than other Men, they have more Accounts to render to his Divine Majesty; I have need even of all your Wisdom to be my Guide in a Tract so difficult. I am not so blinded with Self-Conceit, as to think myself sure not to stumble in a Path so crabbed, that the most consummate Experience is scarce sufficient to carry one through it. I expect all my Glory from the Prudence of your Counsels, and of those of that illustrious Princess; who after having shar'd with you in the Burden of the Crown, was willing to be your Companion also in your Retreat. I have respected her all my Life long as if she had been my own Mother, and shall have the same Veneration for her, as if she had given me Birth.

I shall have the same Regard for the Princes my Brothers; being sensible how far the Ties of Honour and Nature bind me. If your Goodness and my Birthright have made any Difference between them and me, the Tenderness I have always had for them, will make me treat them as their Brother, rather than as their King; and the same Union which has been between us hitherto, shall last for ever.

If after all your Kindness for me, and the shining Proofs which you have given me of it, there remain any Vows for me to put up for the Happiness of my Subjects, and for my own Satisfaction, 'tis to have the Comfort of enjoying you a long Time, and of hearing you declare one Day, *That you never repented of having yielded the Scepter to a Son, whom your own Care has render'd worthy to hold it.* What Joy can be greater than this

this to a Son, who, next to God, loves none so well as you; who saw you without Envy, wear a Crown, which he wish'd might flourish on your Head for many Ages, and who desir'd nothing so much in this World, as more and more to deserve that Tenderness, of which you have given him the most glorious Demonstrations.

God grant, that after I have trod a while in your Steps, I may have the same true Notion that you have of the vain Greatness of this World; and being sensibly affected with its Nothingness, I may imitate you likewise in your Retreat, and prefer great and solid Happiness to Honours that are transitory and perishing.

LOUIS.

Dated at the Palace of Ildefonso, Feb. 22, 1724.

Upon King *Philip*'s Renunciation, it may not be improper to give a brief Account of the Genealogy of the late and present Kings of *Spain*, and of the Countries subject to the *Spanish* Monarchy.

PHILIP V. late King of *Spain*, second Son of *Lewis* late Dauphin of *France*, and of *Mary-Anne* of *Bavaria*, his Wife, was born *Dec.* 19, *N. S.* 1683, and styl'd Duke of *Anjou*, bearing the Arms of *France*, with a Border Gules; 'till upon the Death of *Charles* II. of *Spain*, which happen'd *Nov.* 1. 1700, that Crown devolv'd by Right of Blood upon his Father the Dauphin, as being the only Son of *Mary Teresa*, Daughter of *Philip* IV. Sister to *Charles* II. (both of *Spain*) and Wife of *Lewis* XIV. of *France*. But *Charles* II. to prevent the Union of the two Crowns, as he gave out, did by his last Will appoint the said Duke of *Anjou*, Universal Heir to the *Spanish* Monarchy; which Will being accepted at the Court of *France*, that young Prince, being then but seventeen Years of Age, was accordingly proclaim'd King of *Spain*, by the Name of *Philip* V. all the Countries depending upon that Monarchy; and setting out from *Versailles*, *Dec.* 4. 1700, he arriv'd at *Madrid*, *Feb.* 18 following.

His former Wife was *Mary-Louise-Gabrielle*, Daughter of *Victor-Amedeus*, Duke of *Savoy*, now King of *Sardinia*, and of *Anne* Daughter of *Philip* Duke of *Orleans*, and the Princess *Henrietta*, Daughter to King *Charles* I. of *England*

England. This Queen was born *Sept.* 17, 1688, marry'd *Nov.* 3, 1701, and dy'd *Feb.* 14, 1714, leaving Issue,

1. *Lewis*, Prince of the *Austria's*, now King of *Spain*, born at *Madrid*, *Aug.* 25, 1707, made Knight of the Order of the Holy Ghost, *March* 18, 1717, and marry'd *Nov.* 11, 1721, to Mademoiselle *de Montpensier*, a Daughter of the late Duke of *Orleans*, born *Dec.* 11, 1709.

2. Don *Philip*, Infante of *Spain*, born at *Madrid*, *June* 7, 1712. And

3. Don *Ferdinand*, Infante of *Spain*, born at *Madrid*, *Sept.* 23, 1713.

Before the Year 1714 was concluded, King *Philip* marry'd his present Queen, *Elizabeth Farnese*, only Daughter of *Odoard Farnese*, Hereditary Prince of *Parma*; which Princess was born *Oct.* 25, 1692, and has had Issue,

1. Don *Carlos*, Infanta of *Spain*, born *Jan.* 10, 1716, and marry'd (*Nov.* 26, 1722) to *Philippe-Elizabeth* Mademoiselle *de Beaujolois*, another Daughter of the late Duke of *Orleans*, born *Dec.* 18, 1714.

2. Don *Francisco*, Infante of *Spain*, born *March* 21, 1717, and dy'd at *Madrid* a Month after.

3. *N.* Infanta of *Spain*, born *March* 31, 1718, and marry'd (*Nov.* 25, 1721) to *Lewis* XV. the present French King, who was born *Feb.* 15, 1710.

King *Charles* II. was born at *Madrid*, *Oct.* 26, 1661; began his Reign, *Nov.* 19, 1665; and dy'd *Nov.* 1, 1700, as is above remark'd.

Philip IV. Father of *Charles* II. was born *April* 8, 1605; and dy'd *Sept.* 17, 1665. He was the Son of *Philip* III. by his Queen, *Margaret*, Daughter of Archduke *Charles*, who resided at *Grats* in *Stiria*; and Grandson of *Philip* II. by his fourth Wife, *Anne*, Daughter to the Emperor *Maximilian* II.

Mary-Anne, Mother of *Charles* II. was born *Dec.* 22, 1634; marry'd *Nov.* 8, 1649, and dy'd at *Madrid*, *May* 16, 1696. She was Daughter to the Emperor *Ferdinand* III. by his first Wife, *Mary*, Daughter of *Philip* III. King of *Spain*, by *Margaret*, Daughter of the Archduke *Charles* II.

Mary-Louise de Bourbon, first Wife of *Charles* II. King of *Spain*, was Daughter to *Philip*, Duke of *Orleans*, by his first Wife, *Henrietta*, Daughter to *Charles* I. King of England, who lay in of her, *March* 17, 1662. She was marry'd *Nov.* 17, 1679; and dy'd *Feb.* 12, 1689.

Mary-Anne, second Wife of *Charles* II. was Daughter of *Philip-William*, Elector Palatine, by *Elizabeth-Amelia*,

Daughter to *George* II. Landgrave of *Hesse Da*
This Queen was born *Oct.* 28, 1667; marry'd *Ma*
1690; and is now Dowager of *Spain*, keeping her Co
at *Bayonne* in *France*.

Mary-Teresa, Sister to King *Charles* II. was Daug
of *Philip* IV. by his first Wife, *Elizabeth*, Daughte
Henry IV. of *France*, by *Mary de Mediciis*, Daughter
Francis Great Duke of *Tuscany*.

Margaret-Teresa, Sister of *Charles* II. was Daughter
Philip IV. by his second Wife. She was born *July* 1
1651; marry'd *Dec.* 12, 1666, to *Leopold*, Empero
Germany, and dy'd *March* 12, 1673.

Don *John* of *Austria* was a Natural Son of *Philip* I
by *Mary Calderona*, a Comedian. He was born *Apri*
1629, own'd by the King his Father, 1642; and
1647, subdu'd the City of *Naples*, which had revolt
In 1664, he lost the Battle of *Evora*, wherein the Ar
of *Castille* was entirely defeated by the *Portuguese*.
dy'd at *Madrid*, *Sept.* 17, 1687. By a Mistress, who
his Death, retir'd into a Convent of *Carmelites* at
drid, he left two Daughters, Nuns, one at *Madrid*,
other at *Ghent*.

Alphonso-Henriquez, another Natural Son of *Philip* I
dy'd Bishop of *Malaga*, and Great Inquisitor of S
July 30, 1692.

Ferdinand-Gonzales de Valdez, also a Natural Son
Philip IV. dy'd Governor of *Novara*, and Master of
Ordnance for the Dutchy of *Milan*, *Feb.* 6, 1702.

Beside whom, there was also Don *Carlos* of *Austri*
fourth Natural Son of *Philip* IV.

The Countries left in his Catholick Majesty's Po
sion by the Treaty of *Utrecht*, are these which follo

1. All *Spain*, which formerly compris'd four
Kingdoms.

2. Upon the Coasts of *Africa*, the Fortresses of *Ce*
Larache, and *Melilla*. That of *Oran* in the Kingdom
Algier, was taken by the *Spaniards* in 1509; and re
ken by the *Moors* in 1708.

3. The *Canary Islands*.

4. The *Philippine Islands*.

5. In *America*, *New Spain*, or *New Mexico*. In Fl
da, the Forts of St. *Matthew* and St. *Augustine*. All
Terra Firma; *Peru*, *Chili*, *Tucuman*, *Chica*, *La Plata*,
In

Island of *Hispaniola*, and among the *Antilles*, *Tortouna*, *La Trinidad*, and *Marguarita*.

6. *Las Islas de los Ladrones*.

By the Treaty of *Utrecht*, *Sicily* was yielded to the Duke of *Savoy*, who afterwards exchang'd it with the Emperor for *Sardinia*; beside which, his Imperial Majesty had the *Netherlands*, and the States of *Italy*. And *England* had the Island of *Minorca*, and the Town of *Gibraltar*.

The King of *Spain* lays Claim to,

1. The Dutchy of *Burgundy*, on Account of the Marriage of *Mary*, Daughter and sole Heir to *Charles* Duke of *Burgundy*, with the Emperor *Maximilian* of *Austria*, from whom *Philip* I. of *Spain* descended.

2. *Roussillon*, as a Dependency on *Catalonia*, which *Peter* King of *Arragon*, mortgaged to *Lewis* XI. of *France*, in 1467, for the Sum of 300,000 Crowns in Gold. *Charles* VII. afterward engaging in War to recover the Kingdoms of *Naples* and *Sicily*, yielded that Country to *Ferdinand* of *Arragon*, and quitted him of the 300,000 Crowns, upon Condition that he should not disturb him in his Conquests; but the *Spaniard* not biding by that Article of the Treaty, the said County reverted to *France*.

3. *Portugal*, grounded upon the Conquest of that Kingdom by *Alphonso*, King of *Arragon*, conducted by *Henry*, a Bastard of the House of *Lorrain*, to whom he had given one of his Natural Daughters in Marriage, and in that Consideration, made him King of *Portugal*. *Henry*'s Posterity being at an End in King *Sebastian*, who dy'd without Issue, his Brother, a Cardinal Priest, gave the Kingdom of *Portugal* to *Philip* II. of *Spain*, who enjoy'd it accordingly, as well as his Son *Philip* III. but in the Reign of *Philip* IV. *Anno* 1641, the Duke of *Braganza*, as next Heir to *Sebastian*, got himself declar'd King, and brought about an entire Revolution.

4. The Kingdom of *Jerusalem*. The Emperor *Frederick* II. by his Marriage with *Jolanda*, Daughter of *John* King of *Jerusalem*, had a Right to this Kingdom as his Wife's Dowry; and accordingly, having driven away the *Saracens*, and taken Possession, he was crown'd King of *Jerusalem* in 1229.

5. The Kingdom of *England*; grounded on the Marriage of *Philip* II. with *Mary*, Daughter to *Henry* VIII.

King

King of *England*; whereby a mutual Contract was made, that the Survivor should inherit the other's Dominions.

6. *Tuscany*, by the Emperor *Charles* V. who advanc'd *Laurence de Medicis* to the Dignity of Duke and Prince of *Tuscany*, and prevail'd with him to marry one of his Natural Daughters.

7. The Isle of *Malta*, which the same *Charles* V. gave to the Knights, as a Fief, upon Condition that they should maintain the Streight between *Sicily* and *Africa*, pay a yearly Tribute to the King of *Spain*, and render him Homage and Fealty.

FINIS.

THE Historical Register.

NUMBER XXXV.

GREAT BRITAIN.

e Proceedings of the Second Session of the Sixth Parlia-ment of Great Britain, *continu'd from Page* 161 *of the preceding* Register.

ON the 4th of *March*, the Commons in a Committee of the whole House, consider'd further of the Supply, and came to to a Resolution, which being on Thursday the 5th, reported by Mr. *Farrer*, was agreed to, as follows, *viz.* That his Majesty be enabled to grant such Re-f as his Majesty in his great Goodness shall think to *Robert Dalziell*, late Earl of *Carnwarth*, out of e Moneys arisen or to arise by Sale of the Estate by m forfeited for the Use of the Publick, for the Pay-ent of his Debts, and for the Support and Mainte-nce of himself and Family; subject to a proportion-le Part of the Demands of such Creditors, whose laims have been allow'd upon, and do affect the said state in the same Manner as if the said Sum had been id into the Exchequer of *Scotland*. Hereupon a Mo-on was made, that this House would not receive any rther Petitions from any Person whatsoever, touching e Estates forfeited in the late Rebellion, and granted y his Majesty to the Publick; but the Question being ut thereupon, it was carry'd in the Negative. The me Day, an ingross'd Bill *for punishing Mutiny and De-*

 sertion,

sertion, &c. was read the third Time, pass'd, and sent up to the Lords.

On the 6th, Mr. *Farrer* reported to the House the Amendments made, in the grand Committee, to the Malt Bill, which being agreed to, the said Bill was order'd to be ingross'd. Then the House proceeded to take into Consideration the Report from the Committee of the whole House, about the Bill to explain and amend the Swearing Act: And a Clause being offer'd to be added to the Bill, relating to Papists registering Lease of their Estates, a Debate arose thereupon, which was adjourn'd to the next Morning.

Accordingly, on Saturday the 7th, the House resum'd the said Debate, and the said Clause being read a second Time, was order'd to be made Part of the Bill, which, with other Amendments made thereto, was order'd to be ingross'd.

On Monday the 9th, an ingross'd Bill *for continuing the Duties on Malt*, &c. was read the third Time, pass'd and sent up to the Lords: After which, several Accounts from the Commissioners of the Customs were presented to the House.

March 10. Mr. *Farrer* presented to the House a Bill relating to the Duties on Coffee, Tea, Cocoa-Nuts, &c. which was read the first, and order'd to be read a second Time. Then Mr. *Plomer* reported the Amendments made in a Committee, to the Bill *for the better viewing, searching, and examining of all Drugs*, &c. which, with other Amendments were agreed to, and the said Bill order'd to be ingross'd.

On the 11th, the ingross'd Bill for explaining and amending the Swearing Act of the last Session of Parliament, was read the third Time, (and with an Amendment made thereto) pass'd, and sent up to the Lords.

March 12. Mr. *Tudor*, from the Commissioners of Customs and Excise in *Scotland*, presented to the Commons several Accounts of the gross and neat Produce of the Customs and Excise there; and after the dispatching of some private Business, the Call of the House was further adjourn'd to the Tuesday sev'nnight, the 24th of that Month.

On Friday the 13th, the ingross'd Bill *for the better viewing, searching, and examining of all Drugs*, &c. was read the third Time, pass'd, and sent up to the Lords: after which, the Bill about the Duties on Coffee, Tea, Cocoa-

Cocoa-Nuts, &c. was read the second Time, and committed to a Committee of the whole House.

The next Day (*March* 14) Mr. *Conyers* reported from the Committee appointed to inspect what Laws are expir'd or near expiring, and to report their Opinion which of them are fit to be reviv'd, or continu'd, That they had inspected the Laws accordingly; and had come to several Resolutions, which he read in his Place, and afterwards deliver'd them in at the Table, where they were read and agreed unto by the House, and are as follows, *viz.*

1. That an Act pass'd in the Twelfth Year of the Reign of her late Majesty Queen *Anne*, entitled, *An Act for continuing the Acts therein mention'd, for preventing Theft and Rapine upon the Northern Borders of* England, is near expiring, and ought to be continu'd for the further Term of 11 Years.

2. That an Act made in the Third Year of his Majesty's Reign (intitled, *An Act for the better regulating of Pilots for the conducting of Ships and Vessels from* Dover, Deal, *and the Isle of* Thanet, *up the Rivers of* Thames *and* Medway) together with a Clause for further Explanation thereof, in an Act pass'd in the Seventh Year of his Majesty's Reign (entitled, *An Act for the further preventing his Majesty's Subjects from trading to the* East-Indies *under foreign Commissions; and for encouraging and further securing the lawful Trade thereto; and for the further regulating the Pilots of* Dover, Deal, *and the Isle of* Thanet) which is near expir'd, be further continu'd from the Time of the Expiration thereof, for the Space of seven Years, and from thence to the End of the then Session of Parliament.

3. That an Act pass'd in the Fifth Year of his Majesty's Reign (entitled, *An Act for continuing the Act made in the Eighth Year of the late Queen* Anne, *to regulate the Price and Assize of Bread; and for continuing the Act made in the Twelfth Year of her said late Majesty's Reign, for the better Encouragement of the making of Sail-cloth in* Great Britain) which is near expiring, be further continu'd from the Expiration thereof for seven Years, and from thence to the End of the then next Session of Parliament.

And a Bill was order'd to be brought in upon the said Resolutions. Then the ingross'd Bill *for rebuilding the Parish Church of* St. Botolph, Bishopsgate, *in the City of* London, as also the ingross'd Bill *for compleating and*

rebuilding the Parish Church of St. Martin's in the Fields were read the third Time, pass'd, and sent up to the Lords. After which, a Bill was order'd to be brought in, *to explain and amend an Act made in the 6th Year of his Majesty's Reign, for ascertaining the Breadth, and preventing Frauds and Abuses in manufacturing Serges, Pladings, and Fingrums*, &c. And a Bill for Relief of insolvent Debtors was read the first, and order'd to be read a second Time.

Hitherto, the House of Lords had been employ'd in hearing Causes upon Appeals from Decrees in Chancery, and other private Business: But on Monday the 16th of *March*, their Lordships being in a Grand Committee, on the Bill *for punishing Mutiny and Desertion*, there arose a very warm Debate, upon a Motion made by the Lord *Trevor*, for leaving out of the Number of the Land-Forces to be continu'd, the four thousand additional Men raised the Year before. His Lordship represented, 'That the 'Conspiracy mention'd in his Majesty's Speech at the 'opening the last Session of Parliament, which was the 'Occasion of this Augmentation of the Land-Forces, be 'ing now happily extinguish'd, and thereby the Cause 'of raising that additional Number being perfectly re 'mov'd, there was not the least Reason or Pretence for 'continuing that Number. That the keeping on foot a 'greater Army in Time of Peace, than was absolutely 'necessary for the Security of the King's Person and Go 'vernment, was very dangerous to our happy Consti 'tution: And considering the great Tranquillity we en 'joy'd both at Home and abroad, he could not but ap 'prehend, the Number of regular Forces, allow'd by 'this Bill, to be much greater than was necessary for 'that End. That if so great an Army was allow'd to 'be continu'd, in our present happy Circumstances, a 'Standing Army would thereby become an essential Part 'of our Constitution, since the Reasons for keeping it 'up in Perpetuity would grow stronger every Year 'and in every succeeding Reign: For on the other 'Hand, it cannot, with any Probability, be foresee'd 'or expected, that in any future Time, there will be 'less Reason to be given than at present, for justify 'ing the Necessity of keeping up so great an Army, 'there being now as little Danger to our present happy 'Establishment, to be fear'd either from Insurrections 'at Home, or by any Disturbance or Invasions from a

broad,

broad, as the Nature and Instability of Humane Affairs will allow of. And on the other hand, if so numerous an Army be at present allow'd of in Parliament, no Argument can hereafter be urg'd for the reducing the Number in any future Reign, but what will seem to carry with it too great a Distrust of the Prince then on the Throne, and will be construed to imply, that the same Confidence is not to be repos'd in him, as in his Predecessors.' His Lordship added, 'Twas not out of any Distrust he entertain'd either of his Majesty or his Ministers, that he was for reducing Part of the Army: That on the contrary, he was fully convinc'd, his Majesty will never make an ill Use of his Power, of which they had a sure Earnest in the Equity and Moderation, with which his Majesty had govern'd hitherto; but as they could not promise themselves and expect, that so good and so just a King should always fill the Throne, it was Prudence only to prevent the Inconveniencies and Dangers to which our excellent Constitution and Liberties would be expos'd, in a Case, in any succeeding Reign, an ambitious Prince, and ill Ministers, should have so great a Number of Troops at their Disposal. That it was notorious, that all the States of *Europe*, that have lost their Liberties, have been enslav'd by their own Armies, whose Officers and Commanders growing every Day in Power, do, at last, turn it against those from whom they had at first their Commissions; of which we had a fatal Example, in *England*, still fresh in our Memories, in the Person of *Oliver Cromwell*. That besides the four thousand additional Men, the regular Forces were double the Number of those kept on foot, after the Peace of *Ryswick*, in the Reign of King *William* of glorious Memory; and more numerous, by one Third, than in the late Queen's Reign, after the Peace of *Utrecht*; that therefore they are more than sufficient to secure the Government against any sudden intestine Commotion; which is the less to be apprehended, by Reason of the general Affection which the People had lately shewn in taking the Oaths, tho' many of them that took them, were not requir'd to do it, by the Act pass'd the last Session; and, he was confident, that except a few Persons of desperate Principles and Fortunes, who might hope to fish in troubled Waters, there was no Body in *England*, that had any thing to lose, that wish'd for a Revolution. That if we look'd abroad, it appear'd, that by

'the

'the happy Influence of his Majesty's wise Counsels, 'and the good Alliances that had been enter'd into and 'cemented, all *Europe* enjoy'd a profound Peace, which 'in all Probability, would be lasting: But that in Case 'of a Rupture with any neighbouring Prince, our Fleet, 'which was certainly the most numerous, and the best 'in all *Christendom*, would defend us against any foreign 'Invasion or Insult. That the Pay of the four thousand 'additional Men, amounted to a good Sum of Money. 'That indeed, at another Juncture, that Expence might 'easily be born; but that in the present Circumstances, 'when the Nation is involv'd in so great a Debt, and 'groans under the Load of heavy Taxes, this additional 'Charge is very considerable. That his Majesty, in his 'gracious Speech at the opening of this Session of Par-'liament, having in a particular Manner, recommended 'to the House of Commons the putting the National 'Debt in a Method of being gradually reduc'd and paid, 'twas with the greatest Satisfaction he took Notice 'that some Progress had already been made in that great 'and important Undertaking; and that, in order to im-'prove that good Beginning, not only the Pay of the 'additional Forces, but also all other needless Expences 'ought, in his Opinion, to be apply'd to the Increase 'of the Sinking Fund.' His Lordship concluded as he had begun, with the most earnest Professions of his sin-cere and entire Affection for his Majesty's Sacred Per-son and Government, and for his Royal Family, on whose Prosperity, under God, absolutely depend both our present Felicity, and the Preservation of our Laws, Liberties, Properties, and holy Religion.

The Lord Viscount *Townshend*, Principal Secretary of State, answer'd the Lord *Trevor*, and, among other Things, said, 'That he agreed with that noble Lord, in 'some Parts of his Speech, but was sorry he differed 'from him in others. That he was thoroughly per-'swaded of his entire Affection to his Majesty's Person 'and the present happy Settlement, nor did he in the 'least doubt, but he saw with Pleasure, the Progress 'that had been already made towards reducing the Na-'tional Debt: But that, at the same Time, they ought 'to consider, that as the happy Tranquillity we at pre-'sent enjoy, is in some Measure owing to the Strength 'of the Government, so it was Prudence not to weaken 'that Strength, because the same might affect public

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Credit, which being founded on the Security of the Government, if that Security was render'd precarious, they would soon see the Funds and Stocks fall 10 or 12 *per Cent.* which would render the Reduction of the National Debt altogether impracticable, since it was impossible to reduce that Debt, otherwise than by publick Credit. That it was notorious, that before the last Augmentation of regular Forces, the Government could not form and march a Body of three or four thousand Men, against any sudden Attempt, either at Home, or from abroad, without leaving the King's Person, the Royal Family, the Capital of the Kingdom, and the fortify'd Places expos'd; and therefore the said Augmentation was become absolutely necessary to prevent these Dangers and Inconveniencies. That the Number of the Troops now on foot was not so great as to afford any just Ground of Jealousy, since the present Forces are much inferior to those the Crown had formerly. That by the ancient and *Gothick* Constitution of the Government, the King had at his Disposal the Militia of the Realm, which chiefly consisted in Archers, who were kept in constant Discipline and Exercise, the Memory of which is still preserv'd, there being almost in every Village a Place call'd *But-Lane*. That the Invention of Fire-Arms had made a great Alteration in the ancient Constitution, and, instead of Archers, the Crown rais'd as many regular Troops as were thought necessary upon any Emergency. That Queen *Elizabeth*, who had many Enemies both at Home and abroad, constantly kept a considerable Body of Troops in the *Netherlands*, without any Contradiction from her Parliaments, and thereby maintain'd herself on the Throne, and overcame all her Enemies. That if King *Charles* I. had steer'd the same Course, he might in all Probability, have preserv'd both his Crown and his Life, since he lost both, only for want of a sufficient Force to suppress Faction, which was the principal Source of all the Calamities and Enormities, in which the Nation was afterwards involv'd. That upon the Restoration of King *Charles* II. they who at that Time had the Management of Affairs, did not think it proper to keep up a great Number of regular Troops, and therefore chose to restore to the Crown its ancient Power over the Militia of the Kingdom; but that there was a Secret in that. That King *James* II. not trusting to the Militia, had an

Army

Army of 20000 Men, which would have secur'd the the Crown, had he not given a general Disgust his People, by violating the fundamental Laws, and endeavouring to subvert the Constitution in Church and State. That in the Reign of King *William* of glorious Memory, when some leading Men in the Parliament thought fit to disband the Army, after the Peace of *Ryswick*, they fell upon a Project to secure the Government, which was to raise and discipline the Militia; but that they soon after perceiv'd the unprofitableness of that Scheme, the Militia proving a great Burden to the People, and of no Service to the Government. That the Reduction of the Army had then a double Effect; for on the one Hand, it oblig'd King *William* and his Ministers to enter into a Treaty of Partition, and on the other Hand, it very probably encourag'd *France* to break that Treaty, which occasion'd a second War, and was the Source of two Thirds of that heavy Debt under which the Nation labours at this Day. That the disbanding of the Army had almost the same ill Effect in the Reign of the late Queen, having encouraged *Lewis* XIV. to furnish the Pretender with a Land Force and a Fleet to invade these Kingdoms. That at present they weaken'd the Hands of the Government, we should be expos'd to the like Insults and Attempts. That if our Enemies may be credited in an Affair, in which it is their Interest to speak Truth, they seem'd confidently assur'd of Success, in their Design of overturning the Government, provided they had only an Assistance of three or four thousand Men from abroad; and that considering the Method now practis'd in Imbarkations, how good and how strong soever our Fleet may be, it was impossible to hinder a foreign Prince, who should have a Mind to undertake it, to throw such a Number of Men upon *England*. Concluding, that the constant Tenor of his Majesty's Administration since his happy Accession to the Throne, ought to convince every Body, that by the continuing the Number of regular Forces now on foot, his Majesty and Ministers have nothing in View but the publick Safety and Security, and thereby to give the People an Opportunity to improve Trade, and encourage Industry, as the only Means to retrieve their former Losses.

The Duke of *Wharton*, who reply'd to the Lord *Townshend*, said in Substance, "That though he was sensible whatever

whatever he could offer, would have but little Weight, nevertheless, as the Matter under Debate, was of the last Importance, and highly concern'd the Fundamental Constitution, he thought it incumbent upon him, as a Member of that August Assembly, to deliver his Opinion; hoping, that any Mistake he should commit, would be excus'd upon Account of his Want of Experience. That he wonder'd the noble Peer who spoke last, should suggest, that without the additional Troops rais'd last Year, a Body of 3000 Men could not be drawn together; that he might easily be contradicted, since, before the raising of those Troops, we had seen near the Capital of the Kingdom, a Camp of between three and four thousand Men, consisting only of the King's Guards, which was sufficient to secure the Government against any sudden Attempt. That he thought it no less strange, that in an Affair of so great Importance, and in the supreme Council of the Realm, any Mention should be made of the Opinion of Enemies; that by this, he suppos'd, were meant the Abstracts of some intercepted Letters, and anonymous Intelligence, that were printed last Year; on which he thought no Stress ought to be laid, but rather be look'd upon as the empty Imaginations of disaffected Persons, who, through the natural Propensity of all Men to believe what they wish for, easily deceive themselves, and fondly entertain with vain Hopes, those they endeavour to engage in their Cause. That considering the present great Tranquillity at Home, and the happy Situation of Affairs abroad, there seem'd to be no Occasion for keeping up so great a Number of Forces. That by his Majesty's Counsels, and powerful Influence, a general Peace was establish'd in *Europe*, which, in all Appearance, would last many Years. That some Accidents, which 'twas fear'd, might have disturb'd it, had had contrary Effects: That the Death of the Regent had made no Alteration in *France*, for Things did run there in the same Chanel, and the Duke of *Bourbon*, who had succeeded the late Duke of *Orleans* in the Administration of Affairs, seem'd resolv'd to cultivate the Friendship and good Intelligence his Predecessor had establish'd between the two Crowns. That in Relation to *Spain*, King *Philip's* Abdication would prove advantageous to the Peace of *Europe*, because the *Italian* Faction and Ministry, which espoused the Pretender's Cause, were thereby laid aside. And

as for the Emperor, he hop'd they had nothing to fear from him, unless he would quarrel with us, for our Kindness and Good-Nature to him, in suffering him establishing an *East-India* Company at *Ostend*, to the Prejudice of our own Company. But nevertheless, he hop'd, a good Correspondence would still be maintain'd between the two Courts. That thus there was nothing to be fear'd from abroad, and yet much less at Home. That the noble Lord who spoke before him, had run over a great Part of our *English* History, and had endeavour'd to shew the Difference between the ancient *Gothick* Government, and our modern Constitution; that he would not follow him close through his long Account of Bows, Archers, and Fire-Arms; but would content himself with taking Notice, that according to that noble Peer, the Power of the Militia was anciently, and still remain'd in the Crown; but that it was observable, that in some former Reigns, regular Troops supply'd the Place of the Militia; and in others, Funds were provided to discipline the Militia, and render them useful, in order to supply the Want of regular Troops: But that at this Time, when the Crown is possess'd of as much Power over the Militia as ever, if so great a Number of regular Forces be allow'd to be kept up, the Fundamental Constitution will be entirely chang'd and overturn'd, since thereby an additional Strength is given to the Crown, without any Equivalent to secure the Rights and Liberties of the Subjects. That our Ancestors having ever judg'd the Militia sufficient to secure the Government, we ought not to deviate from that wise Institution, without evident Necessity: That whatever might be suggested, the Militia are not so useless, nor so much to be despis'd, as some would pretend, since they did notable Service during the last Rebellion, even in some Counties the most disaffected to the present Settlement; and if Care was taken to discipline them well, he did not doubt but the Militia might be made more useful. That the Expence of raising and exercising the Militia might indeed, be greater than the maintaining regular Forces; but that as the Danger to our Liberties, would be much less from the Militia, so would the Grievance of that Expence be more easily born by the People. That in Justice to the Commanders and Officers of the Army, he would readily acknowledge, that many of them had appear'd zealous Defenders of the Liberties of their

Country

Country, and had laid the Foundation of our present Happiness, by refusing to concur in the Designs of the late King *James* II. but that he had heard wise Men say, that if that Prince had turn'd out the old Officers he could not trust, and made new ones from among the common Soldiers, King *William* of glorious Memory, would not easily have brought about his Enterprize, at least, there would have been more Bloodshed. That after all, Standing Armies are inconsistent with a Free Government: And, as in future Generations, an ambitious Prince, and ill-designing Ministers might make Use of them to invade our Liberties, so it was Prudence to prevent that Danger betimes. That the single Instance of *Oliver Cromwell*, who came to the House of Commons, and turn'd out with open Force the very Men from whom he had his Authority, was a dreadful Example, which they ought ever to have before their Eyes. That he was thoroughly perswaded, they had nothing of that Nature to fear under his Majesty's auspicious Reign, or from the illustrious Princes of his Royal Family: But that it cannot be expected, that the Throne shall ever be fill'd by so good and so wise Princes. That besides, we are not so happy, as to have always the King amongst us; that at least once every two Years, his Majesty crosses the Sea to go over to his Dominions abroad; that for his Part, he was so far from finding Fault with it; that he rather thought it to be for our Advantage, because he could from thence have a nearer Prospect of the Affairs of *Europe*, and watch for our Security: But that, on the other Hand, if it should happen, that during his Majesty's Absence, the absolute Command of the Army should be delegated to one single Person, in such a Case, our Liberties and Properties might be in very great Danger; because such a Person would thereby be vested with an Authority equal to that of a *Stadt-Holder* in *Holland*. That he was both surpriz'd and sorry to see that a Lord, who had so great a Share in the Administration, should in so solemn and important a Debate, fetch Arguments from *Exchange-Alley*; and thereby put our excellent Constitution, and most essential Concerns in Competition with those of a few Stock-Jobbers. That on the other Hand, nothing, in his Opinion, could more effectually keep up and advance publick Credit, than the Confidence his Majesty and his Ministers would seem to repose in the Affections of the People;

'by disbanding Part of the Army; and that the sa
'would have the like good Effect with foreign Princes
'Whereas if the Court seem'd to think so great a Num
'ber of Troops, necessary in Time of Peace, it visibly
'imply'd a Distrust of the Affections of the People
'which on the one Hand, might increase the Disaffection
'at Home, and lessen his Majesty's Credit and Interest
'abroad.

The Lord *Bathurst* spoke next on the same Side, and
in particular, endeavour'd to shew the Weakness of the
Arguments urg'd for keeping up the additional Forces
drawn from the Opinion of the Enemies of the Govern
ment, and the publick Funds. He added, 'That wha
'distinguishes most a good and just Prince from a Ty
'rant, is, that the latter never thinks himself sa
'without a great Number of Guards and Troops, where
'as the first entirely confides in the Affections of his
'Subjects. That this was the Course which that wise
'Princess, Queen *Elizabeth* steer'd; for tho' she had ma
'ny Enemies, both at Home and abroad, yet she never
'kept Standing Forces in *England*, but defeated all the
'Attempts made against her Person and Governme
'with her Militia, and her Fleet, as her Predecessors had
'done before her. That upon King *Charles* the Second's
'Restoration, that Prince had a very plausible Preten
'to have an Army; but his chief Ministers, the Ear
'of *Southampton* and *Clarendon*, who were at the sa
'Time, great Patriots, as well as great Politicians, co
'sidering the Calamities an Army had brought upon the
'Nation under *Cromwell*, wisely judg'd, that Standing
'Forces are inconsistent with the Liberties of *England*
'and that the Power of the Militia, with the Additio
'of Horse and Foot Guards, were sufficient to secure
'the King's Person and Government. That indeed, the
'had been told by a noble Lord of the other Side, that
'there was a Secret in it. That for his own Part, he
'could not guess what that Secret might be; but wish
'there may be no Secret at present, in the keeping
'so great a Number of Forces. That it appear'd from
'an eminent Historian, who has given us the Det
'and Circumstances of the late Revolution, that it was
'miraculously brought about, considering the great Num
'ber of Forces King *James* II. had on Foot; but as Mi
'racles do not happen every Day, neither is it Prudence
'to expect them, but rather to endeavour by a wise Fo
'cast, to prevent such like Dangers, as would infallibly

have come to pass, had not Providence visibly interpos'd. That he had a very good Opinion of many Officers in the Army, and had an Esteem for them, not only as brave and gallant Soldiers, but also as good *Englishmen* that would not enslave their Country: But yet, he would not trust his Liberty and Property in the Hands of Men that might take them away, if they pleas'd; for he knew no great Difference between a Man's being a Slave, and being in the Power of them that can make him one. That of all Men, Soldiers are known to be ambitious of advancing and exercising their Authority; and that the Example of *Cromwell*'s Army, who turn'd out the Parliament that rais'd them, ought to be a constant Warning against regular Troops.

The Lord *Cartaret*, one of his Majesty's Principal Secretaries of State, who spoke after the Lord *Bathurst*, made it his Business to confute the Argument urg'd by the Lord *Trevor* and the Duke of *Wharton*, for the disbanding the additional Troops, *viz.* the publick Tranquillity: He said, 'This Tranquillity mainly proceeded from the Security of the Government, and as this Security was in some Measure, owing to the additional Forces, the latter were, in a Manner become necessary to preserve that happy Tranquillity. His Lordship, afterwards, shew'd the great Benefits and Advantages that flow from the Security of the Government; such as the Regard of the foreign Princes and States for the Crown of *Great Britain*; the Weight of his Majesty's Counsels in Negotiations abroad, which had procur'd, and establish'd a general Peace in *Europe*; and in the last Place, the Restoration of Credit at Home, which had furnish'd the Means of putting the publick Debts in a Method of being gradually reduc'd; but if that Security was remov'd, it would immediately affect publick Credit, and thereby the Opportunity would be lost of easing the Nation of that immense Load of Debts it labours under. That he did not deny what a noble Peer had advanc'd, that before the last additional Forces were rais'd, there had been a Camp of three or four thousand Men in *Hyde-Park*; but that these were Troops necessary for the King's Guard, and the Defence of the City of *London*, and therefore could not be spar'd to march either against an Enemy that should invade us; or to suppress any sudden Insurrection at Home, without exposing his Majesty's

'jesty's Person, the Royal Family, and the Capital of
'the Kingdom. The present happy Situation of Affairs
'in *Europe* seem'd, indeed, to promise a lasting Peace:
'But that human Things are subject to so unexpected
'Vicissitudes, that the greatest Calms are often disturb'd
'on a sudden by violent Storms. That in case of a Rup-
'ture, it would be an easy Matter for an Enemy to throw
'in a Body of Troops upon us, in order to raise a new
'Rebellion in Favour of the Pretender, whose Friends
'and Adherents, it's to be fear'd, are still but too nume-
'rous; and tho' quiet at present, by Reason of their
'late Disappointments, yet are ever ready to throw off
'the Mask, as soon as they shall see themselves suppor-
'ed by a foreign Prince. That whatever Force we may
'be suppos'd to have at Sea, it is hardly possible to
'prevent a sudden Invasion; of which his Lordship
'gave three Instances, still fresh in our Memories: 1st,
'Tho' King *James* II. had a numerous Fleet at the Mouth
'of the *Thames*, yet the Prince of *Orange* (afterwards
'King *William* of glorious Memory) pass'd by undis-
'turb'd, and then landed his Army at *Torbay*. 2dly,
'When in the Year 1708, *Lewis* XIV. undertook to set
'the Pretender on the *British* Throne, his Fleet, notwith-
'standing all the Efforts we could make, carry'd their
'main Design, which was to reach *Scotland*, where they
'might have landed, and all that our Fleet could do,
'was only to take a straggling Ship. And 3dly, when
'Cardinal *Alberoni*, in the Year 1719, form'd the Pro-
'ject of an Invasion upon *Great Britain*, he landed some
'of his Men without Opposition, in *Scotland*; and had
'it not been for the contrary Winds that detain'd his
'main Fleet on the Coasts of *Spain*, he would, in all
'Probability, have landed a much greater Force in *Eng-*
'*land*. His Lordship own'd, that the additional Troops
'were not, indeed, sufficient to oppose any considerable
'Force that should be sent against us by a powerful
'Neighbour; but that, however, they were sufficient to
'defeat any unavow'd Attempt, and to make a Stand
'against any sudden Invasion or Insurrection, and there-
'by give Time for reinforcing the Army. He urg'd,
'That as the continuing these additional Troops, would
'shew the Confidence the Nation repos'd in his Majesty,
'and the good Opinion the People had of the present
'Government, so the disbanding of them would have
'the contrary Effect. And therefore, since our Tranquil-

'lity,

ity, Security, and Happineſs depended in a great Meaſure upon them, he was for keeping them up.

The Earl of *Strafford* anſwer'd the Lord *Cartaret*, and Subſtance, ſaid, "They were oblig'd to that noble Peer for delivering his Meaning ſo plainly and ſo fully, that 'twas impoſſible to miſtake it. That according to him, the preſent Number of Forces was eſſential to our Security, and therefore might be ſaid to be eſſential to our Conſtitution.' Hereupon, the Lord *Cartaret* having explain'd himſelf, and ſaid, 'That in our preſent Circumſtances, he thought the Number of 18000 Men abſolutely neceſſary.' The Lord *Strafford* reming his Argument, ſaid, 'That the being abſolutely neceſſary, was much the ſame with being eſſential: That ſince the Forces now on foot were made the Cauſe of our Tranquillity, and it was inferr'd from that Poſition, that they were abſolutely neceſſary to ſecure the preſent Tranquillity, it is plain, they are thereby made an eſſential Part of our Conſtitution: For as 'twas own'd by the other Side, that we had nothing to fear at preſent, either at Home or from abroad, his Lordſhip could not foreſee, that at any Time hereafter, any Argument could be urg'd for reducing the preſent Number of Forces; but it was rather to be apprehended, that plauſible Pretences might be found for increaſing their Number, upon the leaſt Appearance of real or feign'd Danger. He urg'd, that in Caſe either of an Inſurrection at Home, or of an Invaſion from abroad, the Army might eaſily be augmented, as was done in 1715, with wonderful Expedition and Succeſs: And that, to the Praiſe of a Miniſter, who is now with his Father, (meaning the late Earl of *Sunderland*) it muſt be own'd, that as ſoon as the Occaſion, for which thoſe additional Troops were raiſ'd, was over, he caus'd them to be disbanded. That in that Rebellion the Militia perform'd notable Service, even in a County which was thought to be generally diſaffected. And upon the whole Matter, that by disbanding the additional Troops that occaſion'd this Debate, and thereby eaſing the Nation of Part of the heavy Burden it labours under, the King would gain the Hearts and Affections of all his People, which would be a greater Security to the Government at Home, and procure his Majeſty more Regard abroad, than the inconſiderable Reinforcement of 4000 Men, the continuing of which would be a ſhrewd Indication

'of the Unsettledness of the Government, and at le
'of a Jealousy of the People's Disaffection.

The Duke of *Argyle* reply'd to the Earl of *Strafo*
and among other Things, said, 'That this Debate
'ving taken up much of their Lordships Time, he wo
'contract within a narrow Compass what he had to
'upon this Subject. 'That the cheif Argument to
'port the Motion for disbanding the additional Tro
'was the Danger of a Standing Army to a free Gove
'ment. That he did allow there was indeed
'Danger, but not so great as to over-balance the G
'which this small Number of Troops may do in
'present Situation of Affairs. That there is a vast Di
'rence between an Army establish'd in Perpetuity, an
'Temporary Army. That if the present Number
'Standing Troops were voted to be perpetual, th
'might indeed, be great Danger to our happy Consti
'tion; but as they are only continu'd from Year to Ye
'by the Parliament, there's little or nothing to be app
'hended. That it is not many Years since we have seen
'*English* Army refuse to concur in the Overthrow of
'fundamental Laws of their Country, and it is to be ho
'they never will. That however, it requires some Ti
'to model an Army, and to gain the Officers: And if
'that Interval, it should be perceiv'd, that sinister De
'were carrying on against Liberty and Property by Ma
'of the Army, the Parliament may, in such a C
'apply a speedy Remedy by reducing it; and then
'would be the first Man that should give his Vote for
'That the Expence of maintaining the additional F
'ces, which was urg'd as a Reason for reducing the
'was inconsiderable, and much less than the Cha
'would be, in Case of Necessity of sending for Tro
'either from *Holland* or *Ireland*. That foreign Au
'liaries are always not only more expensive, but li
'wise more dangerous or grievous to the People, becau
'they cannot be kept in so strict Discipline, as in th
'own Country. That the disbanding so great a Nu
'ber of Troops after the Peace of *Utrecht*, and the
'having a sufficient Force to secure the Governme
'upon his Majesty's happy Accession, had been the Pri
'cipal Cause of the Rebellion in the Year 1715,
'Friends of the Pretender having been thereby encoura
'to shew themselves. That if he saw the Nation una
'mous in Opinion, that our Laws, Liberties, Properti
'and holy Religion, entirely depend on the pres
'hap

happy Settlement, and on the Protestant Succession in his Majesty's Royal Family, he would readily give his Vote for reducing the Army: But he was very much afraid, some People so strenuously insisted on the disbanding of the additional Troops, with no other Design than to weaken the Government, and thereby give an Opportunity of involving their Native Country in new Troubles: And therefore, those noble Lords who had spoke for the Reduction of the Army, would do well, when they went down into their several Countries, to assure the People, with whom, no doubt, their Reasons would not fail of having great Weight, that their Liberties and Properties were entirely safe under his Majesty's auspicious Government.

The Earl of *Strafford*, who thought himself glanc'd hereupon declar'd, 'That he utterly abhorr'd and detested the very Thought of a Civil War, which, let it end which Way it will, is always fatal to one's Country in general, and to all private Persons.' After this, the Lord *Trevor*'s Motion being carry'd in the Negative, the Bill was read the third Time, and the Question being put, Whether this Bill should pass? It was resolv'd in the Affirmative: Whereupon several Lords enter'd the following Protest:

Die Lunæ 16 Martii, 1723.

Hodie tertia vice lecta est Billa, Entituled, *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.*

The Question was put, Whether this Bill shall pass? It was resolv'd in the Affirmative.

Content 77.
Not Content 22.

Dissentient

BEcause the keeping on foot a greater Army, in Time of Peace, tho' by Consent of Parliament, than is absolutely necessary for the Security of his Majesty's Person and Government, is, we think, very dangerous to our happy Constitution; and we cannot but apprehend, the Number of Men allow'd by this Bill, to be much greater than is necessary for that End.

II. Because the Conspiracy mention'd in his Majesty's Speech, at the opening the last Session of Parliament, which was the Occasion of an Addition of about 4000

Men, is now at an End, and therefore the Cause of raising that additional Number, being perfectly remov'd, there does not appear to us the least Colour of Reason for continuing that Number.

III. Because, as we conceive the continuing too great a Number of Men this Year, will be a Precedent of too great a Weight, for continuing the same Number of Troops in Perpetuity; for we cannot with any Probability, foresee or expect, that in any future Time, there will be less Reason to be given than at present, for justifying the Necessity of keeping up so great an Army. There being at this Time, in our Opinion, as little Danger to our present happy Establishment, to be fear'd either from Insurrections at Home, or by any Disturbance or Invasions from abroad, as the Nature and Instability of human Affairs will well allow of.

IV. And we cannot think the Fears of remote and imaginary Dangers, a sufficient Argument for so great a present Mischief as such an Army must bring upon the Kingdom, not only from the great Charge and Expence of maintaining them, when we are involv'd in so great a Debt, but also from the Jealousies which must from thence arise in the Minds of many of his Majesty's good Subjects, of their Liberties being thereby in Danger: And we cannot but be apprehensive, that if so numerous an Army be agreed to in Parliament for some Time longer, no Argument can hereafter be urg'd for reducing the Number in any future Reign, but will seem to carry with it too great a Distrust of the Prince then in Possession of the Throne, and will be thought to imply, that the same Trust and Confidence is not to be repos'd in him as in his Predecessors. And this may discourage some Persons hereafter from giving their Advice to the Crown, upon this most important Subject, with that perfect Freedom, which ought ever to be maintained and exert itself in the Debates and Resolutions of this Great Council.

W. Ebor.	*Litchfield,*	*Boyle* (Earl of *Orrery*)
F. Cestrien.	*Gower,*	*Weston.*
Scarsdale,	*North and Grey,*	*Uxbridge,*
Trevor,	*Montjoy.*	*Aylesford,*
Bristol.	*Wharton,*	*Bingley.*
Guilford,	*Bathurst,*	

We return now to the Proceedings of the Commons.

The same Day (*March* 16) Mr. *Conyers* presented to e House, a Bill *for continuing several Laws therein mentioned*; which was receiv'd, read the first Time, and or-r'd a second Reading.

March 17. Mr. *Gybbon*, from the Committee of Pri-leges and Elections, reported the Matter as it appear'd them, touching the Election for the Borough of *Dun-ved*, alias *Launceston* in *Cornwall*, with the Resolutions the Committee thereupon; which being twice read, ere agreed to by the House as follow, *viz.*

1. That the Right of Election of Burgesses for the id Borough, is in the Mayor, Aldermen, and Freemen, ing Inhabitants at the Time when they were made ee, and not receiving Pay of the Parish.

2. That *Alexander Pendarves*, Esq; and *John Willes*, q; are duly elected, and that *John Friend*, Esq; M. D. is t duly elected for the said Borough: Upon which Dr. *iend* made a smart Speech, and went out of the House.

On Wednesday the 18th, the Bill, *for continuing seve-l Laws therein mention'd*, was read a second Time, and mmitted; as was also the Bill to *explain and amend an t for preventing Frauds and Abuses in manufacturing ges*, &c.

On Thursday the 19th of *March*, the King went to e House of Peers with the usual State and Solemnity, d the Commons being sent for up, and attending, his ajesty was pleased to give the Royal Assent to the fol-wing publick and private Bills, *viz.*

1. *An Act for continuing the Duties on Malt, Mum, Cy-r, and Perry, to raise Money by Way of a Lottery, for e Service of the Year* 1724; *and touching lost Bills, Tick-, Certificates, or Orders; and for giving further Time for ymen of the Duties on Money given with Apprentices; d for appropriating the Supplies granted in this Session of rliament.*

2. *An Act for redeeming certain Annuities after the Rate of e Pounds* per Cent. per Annum; *and for Payment of the incipal and Interest on the standing Orders for the Blank ckets in the Lottery granted for the Service of the Year* 14; *and for making good the Loss which happen'd in the easure of his Majesty's Exchequer, by the Reduction of ineas; and for granting Relief to* Catharine Colling-od, *Widow.*

3. *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army, and their Quarters.*

4. *An Act for explaining and amending an Act of the last Session of Parliament, (Intitled,* An Act to oblige all Persons being Papists in that Part of *Great Britain,* call'd *Scotland,* and all Persons in *Great Britain,* refusing or neglecting to take the Oaths appointed for the Security of his Majesty's Person and Government, by several Acts herein mention'd, to register their Names and real Estates) *and for enlarging the Time for taking the said Oaths, and making such Registries; and for allowing further Time for the Enrollment of Deeds or Wills made by Papists, which have been omitted to be enroll'd, pursuant to an Act of the Third Year of his Majesty's Reign; and also for giving Relief to Protestant Lessees.*

5. *An Act for making more effectual an Act made in the Ninth Year of his Majesty's Reign, (Intitled,* An Act for compleating the Repairs of the Harbour of *Dover* in the County of *Kent*; and for restoring the Harbour of *Rye* in the County of *Sussex,* to its ancient Goodness) *so far as the same relates to the Harbour of* Rye.

6. *An Act for repairing and amending the Highways from the North Part of* Harlow-Bush Common *in the Parish of* Harlow, *to* Woodford *in the County of* Essex.

7. *An Act for enlarging the Term granted by an Act pass'd in the Third Year of his Majesty's Reign, (Intitled,* An Act for repairing the Highways from that Part of *Counter's-Bridge,* which lies in the Parish of *Kensington* in the County of *Middlesex,* to the Powder Mills in the Road to *Staines,* and to *Cranford-Bridge* in the said County, in the Road to *Colnebrook*) *and for making the said Act more effectual.*

8. *An Act for reviving an Act pass'd in the Tenth Year of her late Majesty's Reign (Intitled,* An Act to make a Causeway over the *Denes,* from *Great Yarmouth* to *Caister* in the County of *Norfolk*) *and for making the said Act more effectual.*

9. *An Act for compleating the rebuilding the Parish Church of* St. Martin's in the Fields.

10. *An Act for the rebuilding the Parish Church of* St. Botolph's Bishopsgate, *in the City of* London, *at the Charge of the Inhabitants of the said Parish.*

11. *An Act to enclose the Common Fields and Commons of* Sunningwell cum Bayworth *in the County of* Berks.

12. *An Act for draining, improving, and enclosing the Common, call'd* Oxburgh-Common *in the Parish of* Oxburgh *in the County of* Norfolk, *and for other Purposes therein mentioned.*

13. *An Act to enable* Thomas *Duke of* Norfolk *to make Leases for sixty Years, of the Houses and Ground in* Arundel-street, Norfolk-street, Howard-street, Surrey-street, *and other his Tenements and Estate in the Parish of* St. Clement's-Danes *in the County of* Middlesex.

14. *An Act to vest in Trustees the Mannors of* Battlesden *and* Pottesgrave, *and divers Lands and Hereditaments in the County of* Bedford, *the Estate of* Benjamin Bathurst, *Esq; to the Intent that the same may be sold, in order to compleat a Purchase by him made of Lands in the County of* Gloucester, *to be settled to the same Uses.*

15. *An Act for Sale of the Estate late of* Humphrey Whadcock, *deceas'd, for discharging a Debt due to the Crown, and for Payment of such other his Debts as his personal Estate will not pay, and for settling the Residue of his Lands conformable to his last Will.*

16. *An Act for enabling* Pelsant Reeves, *Gent. to sell certain Lease-hold Lands in* Suffolk, *settled upon his Marriage, and to purchase other Lands to be settled to the same Uses.*

17. *An Act for naturalizing* Henry Voght, *and* Sebastianus Van Weenigem de Vyver.

The Commons being return'd to their House, a Bill *for the Relief of insolvent Debtors*, was read the second Time, and committed.

The next Day, (*March* 20) Mr. *Yonge* presented to the House a Bill *to prevent frivolous and vexatious Arrests*, which was receiv'd, read the first, and order'd to be read a second Time: After which, Sir *John Eyles* presented to the House a Report of the Trustees for raising Money on the Estates of the late *South-Sea* Directors. But before we proceed, it will be necessary to supply in this Place an Omission in the *Register* N° XXX. *pag.* 114; where, in the Account of the Proceedings of the Parliament, on the 25th of *January*, 1722, Mention was made of a Report deliver'd to the House of Commons from the Trustees for the Estates of the late *South-Sea* Directors; which Report is in Substance as follows:

The

The Report from the Trustees of the South-Sea Company *presented to the Honourable House of Commons, on the 25th of* January, 1722.

THE Trustees represent to this Honourable House, that since the Report they made on the 6th Day of *February* last, of the Effects of their Proceedings to that Time, in Execution of the Trusts repos'd in them; that this Honourable House having signify'd, by an Order, dated *Feb.* 10, 1721. That a further Examination of the late Sub-Governor, Deputy-Governor, Directors, Cashier, Deputy-Cashier, and Accountant of the *South-Sea* Company, should be had, touching any Concealment, Omission, or Falsity in their Particulars or Inventories, deliver'd to the Lord Chief Baron, or one other of the Barons of his Majesty's Court of Exchequer, did apply to the Lord Chief Baron, and other Barons of the Coif of his Majesty's said Court of Exchequer, to the Intent such further Examination should be made; and the said Lord Chief Baron and other the said Barons of the said Court, or two of them, have from Time to Time, as they were apply'd to in that Behalf, summon'd before them so many of the late Directors as the Trustees have been hitherto prepar'd to require such Examination of, who have respectively been examin'd, touching any Concealment, Omission, or Falsity, in the respective Inventories or Particulars, so by them deliver'd as aforesaid.

And the said Trustees do further humbly report, that *John Aislabie*, Esq; in the said Act named, having deliver'd to the said Trustees such Particulars or Inventories of his Estates, as are mention'd in the said Trustees former Report, they the said Trustees did carefully peruse and examine the said Inventories and Particulars in order to compute, according to the best of their Skill, the clear Value of the said Estates, and to make their Report thereupon to the Court of Directors, as by the said Act they were directed; but they were not able within the short Time limited by the said Act, to compute the clear Values of the Estates which belong'd to the said *John Aislabie* on the first Day of June 1720, and on the first Day of *October*, 1718, respectively anywise to their Satisfactions: The said *John Aislabie* thereupon, in Pursuance of the said Act of Parliament, made his Complaint to the Lord Chief Justices and

d other Justices of his Majesty's Courts of King's-
nch and Common-Pleas at *Westminster*; and to the Lord
hief Baron and other Barons of his Majesty's Court of
xchequer, praying Relief thereupon; to which Com-
aint the said Trustees, in Pursuance of the Order of
e said Justices and Barons, dated the fifteenth Day of
une, 1723, did put in their Answer; and on the nine-
enth Day of the said Month of *June*, the said Justi-
s and Barons, three or more of them, did (amongst
her Things) order and direct, that it should be re-
r'd to their Register, to inspect and examine the two
ventories deliver'd in by the said Mr. *Aislabie* to the
rustees, and the Trustees Report thereon, to the Court
Directors, and in the Presence of both Parties, their
spective Agents or Solicitors, to compute particularly
e clear Value of all the Estates which did belong to
e said Mr. *Aislabie*, or any in Trust for him, at the
ime they were vested in the Trustees by the said Act,
at any Time afterwards; and also to compute the
ear value of all the Estates which belong'd to the
id Mr. *Aislabie*, or to any in Trust for him, upon the
st Day of *October*, 1718, and to report the same spe-
ally and particularly; and in taking the said Account,
r. *Aislabie* might be examin'd upon Interrogatories;
d if in taking the said Account, or making the said
mputation, any thing special should happen, the Re-
ster was to report the same from Time to Time to the
id Court, that so proper Directions might be given
ereupon; and either Side was to be at Liberty to re-
rt to the said Justices and Barons, for further Dire-
ion; and in Obedience to the said Order, there have
en divers Meetings of the said Trustees, three or more
them, and the said *John Aislabie*, before the said Re-
ster at the said Trustees publick Office at the *South-Sea*
ouse: And in Pursuance of a subsequent Order of
e said Justices and Barons, dated the 26th of *June*,
23, divers Persons have been examined touching the
id Premisses; and the said Account and the Computa-
ons so directed, have been so far proceeded in, as that
e same are likely to be finally settled and adjusted in a
rt Time.

And the Trustees farther report, that the Coheirs and
dministratrixes of *James Craggs* the Elder, in the said
ct named, having deliver'd to the said Trustees such
rticulars or Inventories, as by the said Act were re-
quir'd,

quir'd, the said Trustees did likewise carefully per and examine the same, and did also examine seve Persons in Relation to the Estates which did belong the said *James Craggs*, at the respective Periods of Ti in the said Act in that Behalf mention'd, which the said Trustees did compute according to the best of the Skill; and afterwards, *viz.* on the 24th of *March* 171 did make their Report to the Court of Directors of the said Company, touching the Premisses; and by sa Report, did certify to the said Court of Directors, how many and what the Estates were, which they found di belong to the said *James Craggs*, or any in Trust for him at the Time of his Death, which happen'd on the 16 of *March*, 1720, and the Values they had computed the same at, at that Time (after all Debts deducted;) al what the Estates were, which they found did belong him the said *James Craggs*, on the first Day of *Decemb* 1719, and the Values they had computed the same on the said first Day of *December*, 1719; and also wh would be coming to the said Company as the Balance the said Account, as near as they could compute the same; but the said Court of Directors disagreeing w the said Report,

Thereupon the Coheirs and Administraitixes of said *James Craggs* exhibited their Complaint before said Justices and Barons, in *October* last; and the Trustees having put in their Answer thereunto, the Justices and Barons, on the fifteenth Day of *Novem* last, made the like Order as they before had made in Case of Mr. *Aislabie*; and their said Register has proceeded with the Trustees in making the Computations Mr. *Cragg*'s Estate, in which they have so travell'd; also in the Accounts of Mr. *Aislabie*, that the same already compleated, except as to some particular Ite submitted to the Determination of the said Justices Barons.

And the said Trustees do further report to this Honourable House, that at the Time of making their first Report, the Time limited by the first-mention'd A for the entring of Claims on the said Estates, by or Persons residing or being beyond the Sea, or out of Gr *Britain*, not being determin'd, they then inform'd the Honourable House of such Claims only as had been tered before them, by or for Persons residing in Gr *Britain*; but the Time for entring Claims by or for Pe sons residing or being beyond the Sea, being now

pir

pir'd, the said Trustees beg Leave to inform this Honour-ble House, that there have been enter'd before them se-venty-two foreign Claims, over and above 1031 Claims n their said first Report mention'd, making the whole Number of Claims now enter'd before them 1103.

The Multiplicity and Perplexity of the Business that ay before the said Trustees, but especially the Num-er of Claims on the said Estates being so large, en-ag'd the said Trustees to a constant Attendance; and aving with all Diligence proceeded to enquire and nform themselves concerning the Truth and Validity f the respective Debts or Interests claim'd, they ave, since the twenty-fifth Day of *March*, 1722, ex-min'd and enquir'd into 327 of the said Claims; and he Court of Directors of the *South-Sea* Company, upon he several Reports that have been laid before them oncerning the same, have agreed in Opinion with the id Trustees. The said several Reports of the said rustees, so agreed to by the said Court of Directors, ave been since enter'd in Books, with such Resolu-ons of the said Court of Directors; and the several laimants have, for the most part, in such Books, gn'd their respective Acquiescences in such Resolu-ons.

And the said Trustees crave Leave further to re-resent, that in Regard of the great Number of Claims nter'd on the said Estates, and of the Difficulty the id Trustees meet with in adjusting and settling di-ers of them, which depend upon Accounts of long nding, and of great Value; it will be impossible to amine into the same within the respective Times li-ited in the said last mention'd Act, in that Behalf; d that a further Time is necessary to enable them to ish the whole: Which they do most humbly submit the Consideration of this Honourable House. The d Trustees think it their Duty to acquaint this Ho-urable House, that there hath not yet been deliver'd them, either by Mr. *Turner*, or on the Behalf of Mr. *igsby*, who is since deceas'd, any Account of such rts of their personal Estate, as by them or their Or-r, was dispos'd of after the first Day of *June*, 1720, for yment of their Debts, or of all their Debts, as have n discharg'd therewith, or any Account of such pe-hable Goods as by them ort heir Order were dispos'd of er the first Day of *June*, 1720, with the Values or

Amounts thereof, and how the same have been applied or dispos'd of.

The said Trustees also humbly shew, that as they have proceeded to the Sale of the Houshold Goods and other personal Estates of the said late Directors and others, as being most liable to spoil or damage, so they have begun to dispose of their Lease-hold Estates, as being some of them at large Rents, and untenanted, and so rather Charges on the particular Estates to which they belong'd, than an Advantage. That they have also proceeded to the Sale of some of the real Estates of the said late Directors and others, whereon no Claims have been enter'd, or whereon the Claims so enter'd, have been heard and determin'd; and are now ready to sell several others of them; and in order to the Sale of the Residue of the said Estates, have directed the respective Titles to the same, to be abstracted, and have given Orders to their respective Receivers to transmit to them exact Particulars of the several Estates within their respective Receipts, so that by such Abstracts and Particulars, they may know what Interest they have in, and what is the Nature and Value of the several Estates to be sold or dispos'd of.

The Trustees observe, that as at the Time of their making their said former Report, by Reason of several Difficulties therein set forth, they could not then make any certain Computation of what the said real Estates might be worth, or what the clear Produce thereof might be, so they are still incapacitated to make any certain Computation thereof; because, as they have great Reason to believe, several Contrivances were form'd, to advance the annual Rents of several of the said Estates, before the same were purchas'd by the said Directors, and others; which being purchas'd by them when they had not Leisure to take due Care in examining into the real Values, they might be deceiv'd; and many of the said Estates having been contracted for at exorbitant Prices, since the first Day of *June*, 1720, from which Time the Estates of the said late Directors and others, were vested in the said Trustees, and small Parts only of the Purchase Money paid by them, it remains yet a Doubt whether the said Trustees will be oblig'd to compleat such Purchases, which, if they should not be compell'd to, would prove a considerable Addition to the Estate vested in the said Trustees.

The

They beg Leave lastly, to report, that they are now
great Forwardness towards clearing with many of
said late Directors, which they had e're this com-
ted, could they have employ'd their Time wholly
that Purpose; but great Numbers of the Claimants
ing with great Earnestness apply'd to them for the
y hearing their several Claims, especially such as
e made upon Account of Trusts, they were oblig'd
comply with such Applications, and to deviate from
Rule they first propos'd of going through with their
ral Affairs, and examining into the several Claims of
r respective Estates in a regular Course, which they
hope, that for the future they shall be better able
llow.

e also further beg Leave to take Notice, that having
ir'd into all the several Claims on the Estates of
iam Tillard, *Arthur Ingram*, *John Grigsby*, *William*
ley, *Samuel Reade*, *Richard Horsey*, *Stephen Child*, Sir
iam Hammond, Sir *Jacob Jacobsen*, *Hugh Raymond*,
Turner, *Peter De la Porte*, *Francis Eyles*, *John Gore*,
Thomas Reynolds; and they having severally on their
s, except *Grigsby* and *Turner*, exhibited to us an
unt of all such Parts of their personal Estates, as
hem or their Order, were dispos'd of after the First
of *June*, 1720, and before the Time of exhibiting
Accounts for Payment of their Debts, and of all
Debts as have been discharg'd therewith:
d also another Account of all such perishable Goods
them or their Orders were dispos'd of after the said
Day of *June*, 1720; and before the Time of exhi-
g such Accounts, with the Values or Amounts
of, and how the same have been apply'd or dis-
; and respectively acquainted the said Trustees;
they were ready to, and would forthwith, pursuant
e said first mention'd Act of Parliament, release
onvey in due Form of Law, to the said Trustees,
Heirs, Executors, Administrators and Assigns, re-
vely, all such Right, Title, Interest, Claim and
nd, which they the said Directors, their Heirs,
utors, Administrators or Assigns, might or could
claim, challenge, or pretend to have, of, in or to
states real or personal, which belonged to them re-
vely, and were by the said Act vested or intend-
be vested in the said Trustees: The said Trustees
ith all Diligence, proceeding to liquidate and ad-
ll Matters with the said *William Tillard*, *Arthur*

Ingram, *William Morley*, *Samuel Reade*, *Richard Hor*
Stephen Child, Sir *William Hammond*, Sir *Jacob Jacob*
Hugh Raymond, *Peter De la Porte*, *Francis Eyles*, *Jo*
Gore, and *Thomas Reynolds*; and hope to go through the
Liquidation and Adjustment in a short Time.

Sign'd,

John Eyles,
John Rudge,
John Lade,
G. Roberts,
R. Hopkins,
Matt. Lant,
Roger Hudson,
Thomas Crow,
Edm. Halsey.

South-Sea House,
January 14, 1722.

We now return to the Report mention'd above,
liver'd to the House by Sir *John Eyles* on the 20th
March.

Report of the Trustees for raising Money on the Estate
the late South-Sea *Directors*, &c.

THE Trustees crave Leave humbly to repre
That (since the last Report they laid before
Honourable House, of the Effects of their Doings
Proceedings in the Execution of the Trust in them
pos'd) the Values of the respective Estates of *John*
slabie, Esq; and of the late *James Craggs*, Senior,
which were then unsettled, and lay depending b
the Justices of his Majesty's Court of Kings-Bench
Common-Pleas, and the Barons of his Majesty's C
of Exchequer, for their final Determination, have
adjusted by them; that the Sum of 45126 *l.* 5
was by the said Justices and Barons, decreed to be
and accordingly hath been paid, by Mr. *Aislabie*, t
Cashier of the *South-Sea* Company, as the clear Va
the Estates, Real and Personal, which belong'd to
or any in Trust for him, after a Deduction made the
of the Value of the Estates he had on the first D
October 1718.

That the Sum of 68920 *l.* 14 *s.* was by the s
stices and Barons decreed to be paid, and accord
hath been paid, by the Administratrixes of the sai

Craggs's Estate, to the Cashier of the *South-Sea* Company, as the clear Value of the Estates, Real and Personal, which belong'd to the said Mr. *Craggs*, or any in Trust for him, at the Time of his Death, after a Deduction made thereout of the Value of the Estates he had on the first Day of *December*, 1719.

The said Trustees crave Leave to take Notice, that they having, in Pursuance of the Directions of this Honourable House, mention'd in their last Report, caused Interrogatories to be exhibited before the Barons of his Majesty's Court of Exchequer, for the Examination of *William Tillard*, *Arthur Ingram*, *William Morley*, *Samuel Read*, *Richard Horsey*, *Stephen Child*, Esqrs. Sir *William Hammond*, Sir *Jacob Jacobsen*, Knts. *Hugh Raymond*, *Charles Joye*, *Peter De la Porte*, *Francis Eyles*, *James Edmundson*, Esqrs. Sir *Robert Chaplain*, Bart. *John Gore*, Esq; Sir *William Chapman*, Knt. and Bart. *Thomas Reynolds*, Esq; Sir *John Blunt*, Bart. Sir *Harcourt Masters*, Knt. *Ambrose Page*, and *William Astell*, Esqrs. most of the said Persons so interrogated, have put in their respective Answers to the said Interrogatories; and these Answers have been carefully examin'd and compar'd with the Inventories and Accounts deliver'd by the said Persons; and the Trustees are proceeding to exhibit Interrogatories for the Examination of the rest.

The Trustees do farther represent to this Honourable House, That *William Tillard*, Col. *Hugh Raymond*, *Thomas Reynolds*, *Arthur Ingram*, *John Gore*, *Francis Eyles*, *Peter De la Porte*, *Richard Horsey*, *Stephen Child*, Esqrs. Sir *William Hammond*, Sir *Jacob Jacobsen*, Knts. *Samuel Read*, and *William Morley*, Esqrs. being the several Persons whom they in their former Report, mention'd they were proceeding to liquidate and adjust all Matters with, have respectively pass'd through the abovemention'd Examinations, and since that Time, releas'd to the said Trustees their respective Estates, and comply'd with all the Directions of the said Act of Parliament; and that there does not appear to the Trustees any Reason to doubt, but that the said Persons have made a fair Discovery of, and deliver'd up all their Estates and Effects.

That the said Trustees have settled and adjusted the Accounts of the said several Persons, and have paid them respectively the Balances due to them on their Parliamentary Allowances, with Interest thereon, from the twentieth Day of *September*, 1721, to the Time of such

ſuch Payment, purſuant to the Directions of the Act made for that Purpoſe. They beg Leave likewiſe to repreſent, that they have adjuſted Accounts with the Executor of the late Mr. *Grigsby*, and have paid him the Balance that appear'd to be due on the Allowance made to the ſaid Mr. *Grigsby*, with ſuch Intereſt as aforeſaid; and that Mr. *Edmundſon* having comply'd with the Directions of the Act of Parliament, ſo as to intitle himſelf to the Sum allow'd him by the ſaid Act, they have paid him the ſame with Intereſt as above. That they have examin'd into the Accounts of, and Claims upon ſeveral others of the Perſons, whoſe Eſtates are by the firſt-mention'd Act, veſted in the ſaid Truſtees, ſo as to be in a great Forwardneſs towards clearing them. That the Time for entering Claims on the Eſtates veſted in them, having, ſince their making their laſt Report to this Honourable Houſe, been prolong'd, there have been enter'd before them forty-four new Claims; and that the Amount of the Sums thereby claim'd, is, about 20000 *l.*

They were in Hopes that the Times allow'd by the laſt Act of Parliament, made for the hearing and determining Claims on the Eſtates of the late Directors and others, would have prov'd ſufficient for going through that Work; but they are now apprehenſive, that notwithſtanding their conſtant Application, they ſhall not be able to do it within the Term preſcrib'd by that Act. They beg Leave to acquaint this Honourable Houſe, that they have enquir'd into upwards of ſix hundred Claims; on all which, they have made their Reports from Time to Time, to the Court of Directors of the *South-Sea* Company, except ſome few, which either through the great Importance or Intricacy thereof, or their depending on long Accounts, and other Matters, lying on the Claimants to make out, remain yet unreported.

As the ſaid Truſtees in their laſt Report, could only take Notice, they had begun to ſell the real Eſtates in them veſted; they now crave Leave to inform this Honourable Houſe, that they have made a conſiderable Progreſs in that, as well as other Branches of their Truſt; and have hereunto annex'd an Account, containing Firſt, the Amount of the real Eſtates ſold; Secondly, the Amount of the perſonal Eſtates ſold and got in; Thirdly, the Amount of the Moneys paid, as well on Claims, and for the Allowances made by Parliament,

as

s otherwise; distinguishing therein, each particular Person's Estate, as far as the same can at present be done.

Sign'd, *March* 13, 1723.

John Eyles,
Thomas Crow,
John Rudge,
Matthew Lant,
Roger Hudson,
Edm. Halsey,
John Lade,
G. Roberts,
R. Hopkins.

An

An Account, containing the Amount of the Sales of the Real and Personal Estates of the late *South-Sea* Directors, with the Debts and Effects got in, and Payments thereout, to the 12th of *February* last inclusive.

Names of the Directors, &c.	Amount of the Real Estates sold.			Amount of the Personal Estates sold, with the Debts and Effects got in.			Amount of the Payments on each Estate for *Claims, Parliamentary Allowances*, &c.		
	l.	s.	d.	l.	s.	d.	l.	s.	d.
Sir John Fellows, Bart.	25560	00	0	127738	04	3	660	04	10
Charles Joye, Esq;				16574	14	3 ½	195	14	19
William Astell, Esq;	20360	00	0	2520	09	3	810	07	11
Sir Lambert Blackwell, Bart.				6776	11	1		01	8
Sir John Blunt Bart.	3680	00	0	25117	17	10	5853	04	0
Sir Robert Chaplin, Bart.	29175	00	0	3298	11	8 ½	2405	10	19
Sir William Chapman, Knt.	4580	00	0	5021	03	1	3427	19	04
Robert Chester Esq;	28447	00	0	43280	16	4	261	18	0
Stephen Child, Esq;	7758	00	0	60536	12	3	16935	01	6
Peter De la Porte, Esq;	6000	00	0	25652	15	5	17728	19	6
Francis Eyles, Esq;	18713	00	0	28481	02	10	27575	10	1
James Edmundson, Esq;	401	00	0	5962	01	10	3857	08	14
Edward Gibbon, Esq;	13620	00	0	23421	18	0	11418	15	5
John Gore, Esq;	13463	00	0	45668	12	1 ¼	47003	09	20 ½
Sir William Hammond, Knt.	2256	00	0	10783	03	6	27	06	4
Francis Hawes, Esq;	66006	00	0	43450	00	9	70752	03	7
Richard Horsey, Esq;				32348	06	0 ½	20010	07	4
Richard Houlditch, Esq;	25965	10	0	9451	07	0	2053	09	4
Sir Theodore Janssen, Kt.	56072	00	0	10340	19	7	9501	13	8
Sir John Lambert, Bart.				16234	10	6	1043	18	4
Sir Harcourt Master, Knt.									

Sir Theodore Janssen, Kt.											
Sir John Lambert, Bart.				16234	10	6	1043	18	4
Sir Harcourt Master, Knt.				3531	07	7	2085	14	7
William Morley, Esq;	499	00	0	11414	12	10	4907	12	6
Ambrose Page, Esq;	5046	00	0	17545	11	11	50	00	0
Col. Hugh Raymond,	14433	00	0	76778	11	4	52767	19	9
Samuel Read, Esq;	157	00	0	43311	08	5	37	09	6
Thomas Reynolds, Esq;	10330	00	0	29276	09	11	30680	10	10 ½
Jacob Sawbridge, Esq;	14476	00	0	3864	10	3	3246	02	3
William Tillard, Esq;	500	00	0	33980	19	5	31925	10	8
John Turner, Esq;				4271	14	1			
Mr. Knight				26604	17	9	4030	00	4
Mr. Surman	24666	00	0	15153	19	3	6090	02	11
Mr. Grigsby.				8478	19	2	3377	19	7
	393768	10	0	867493	15	4	422503	03	8
Remittances by the several Stewards to the 7th of *January* last, not brought to the Account of each Estate				31971	09	4			
				899465	04	8			
Total paid in on Mr *Aislabie*'s Estate				45126	05	7			
Total paid in on Mr. *Craggs*'s Estate				68920	14	4 ¼			
				1013512	04	7 ¼			
Total of the Real Estates sold				393768	10	0			
Total of the Personal Estates sold, with the Debts, &c				1013512	04	7 ¼			
				1407280	14	7 ¼			

After the Reading of the Title of this Report, the same was order'd to lie on the Table; and then Sir *Henry Hoghton*, from the Commissioners for forfeited Estates, presented also to the House,

A Report from the Commissioners of the forfeited Estates in Scotland.

YOUR Commissioners and Trustees, in Pursuance of the Powers granted to them by his Majesty's Commission, bearing Date the twenty-first Day of June last, in Virtue of an Act made in the last Session of Parliament, met at *Edinburgh* immediately after the passing of the said Commission. And finding that, of the Matters committed to their Charge, *viz.* the determining Claims, the selling the Estates, and settling the Accounts of the Money arising from them, the Power of determining Claims expir'd on the twenty-fifth of *March* then next, and that a considerable Time would be necessary, after Sale of the Estates, for Payment of the Price into the Exchequer, and issuing Debentures to the Creditors; they thought themselves oblig'd to apply to the finishing, in the first Place, as far as possible, these two Branches of their Work: And accordingly, they have either dismiss'd or affirm'd all the Claims which remain'd undetermin'd before them when they made their last Report to this Honourable House, amounting to the Number of nine hundred and ninety-eight. But the great Number of the said Claims, and Variety of Circumstances attending the same, make it impossible as yet to report the Extent of the Debts affecting the said Estates severally.

They have also, of the thirty Estates which remain'd unsold at that Time, sold nineteen, and the Life-Rent of *Nithisdale*, with Part of the Estate of *Kynachan*, the Names of which, with the respective Prices for which they were sold, are contain'd in the Appendix (N° 1) the Total being sixty-six thousand two hundred and thirty-six Pounds.

The Names of Estates carry'd off by Claims of Property and Grants from the Crown, are contain'd in the Appendix N° 2; and the Names of the Estates remaining unsold, are contain'd in the Appendix N° 3.

Your Commissioners and Trustees have also examined and finish'd such of the Factors Accounts as could be obtain'd during their Stay at *Edinburgh*, and have order'd all the rest of their Accounts to be ready to be laid

d before them at their next Meeting. And having a ue State of the Reliefs, so far as could be then ob-in'd, Care is taken, that Satisfaction be made both to e Publick and the Creditors. And as to those Parts Estates that have been carry'd off by Claims of Su-eriority or Property, which are equally chargeable ith those that are left in the Possession of your Com-issioners and Trustees, where the nett Sums due to editors are adjusted, they fix'd the Proportion of the ebts on those Parts of the Estates in the Hands of the aimants and Superiors.

The above Matters did wholly employ your Com-issioners and Trustees Times, though they sate *de die diem*, from the Beginning of *July* to the Middle of *No-mber* last.

As to the State of the Moneys arisen, the Purchasers t having yet fully comply'd with the Terms of their ntracts, by making their Payments into the Exche-er, it is impossible for your Commissioners and Tru-es to give a Particular Account of the Produce of each tate sold. But for the present Satisfaction of this Ho-urable House, as to the Payments actually made into Exchequer, and the Issues of Money made there-m, your Commissioners and Trustees have subjoin'd the Appendix N° 4, the Account as it stood in the chequer, the Beginning of *February* last.

The compleating the Accounts of the Factors, the ishing the several Contracts made with the Purchasers, stating the clear Produce, and granting to the Cre-ors the Remainder of their Debentures, with all other tters relating to their Trust, will be the Work of the aining Time, limited by Act of Parliament to your mmissioners and Trustees, and a full State thereof will the Subject of their final Report.

But the Situation your Commissioners and Trustees are with Regard to the Estate of *Seaforth*, obliges them to the same before this Honourable House: For, not-thstanding all the Endeavours us'd by your Com-ioners and Trustees, they have not been hitherto to obtain Possession, or to levy the Rents and Pro-of that Estate: Because, that in Defiance of the s, and in Opposition to his Majesty's Government, arm'd Force has been, and still is kept up there; by om their Factor was wounded, and his Son kill'd, in eavouring to levy the Rents of that and of the other hland Estates under his Care; and a Party of his

Majesty's Troops sent in his Support, was attack'd, and oblig'd to retire; as is fully set forth, in a Memorial annexed to their last Report, to which they crave Leave to refer. And your Commissioners and Trustees humbly apprehend, there will be no Purchasers of the Estate, unless some Remedy be found for effectually securing to them a quiet and peaceable Possession thereof.

All which is humbly submitted to this Honourable House.

Sign'd,

Arthur Ingram, *Robert Munro,*
H. Hoghton, *H. Cunningham,*
Pat. Haldane, *Denis Bond.*

APPENDIX.

Nº 1.

Names of Estates Sold, and for what.

	l.	s.
Innerrity	5700	0
Bowhill (Part of)	250	0
(Other Part of *ditto*)	150	0
Woodend	705	0
Burleigh	12610	0
Drumlochie	775	0
Glasclune	1100	0
Grange	500	0
Balnamoon	1537	0
Pitfandly	936	0
Slate	21000	0
Mekinnon	3400	0
Rooch	200	0
Strathglass (or *Comar*)	1600	0
Moydart (Part of)	1500	0
Fairburne	1400	0
Applecross	3550	0
Davachmaluach	1500	0
Carnwath (Part of)	5100	0
Banton	800	0
Borlick (Part of *Kynachan*)	423	0
Nithisdale (Life-Rent of)	1500	0
	66236	0

Nº

No 2.

Names and Yearly Values of Estates, carry'd away by Claims of Property and Grants from the Crown.

	l.	s.	d.
Carlops	163	6	8
Kirkhouse	36	2	2¼
Lorn	43	4	3½
Lagg	424	15	0
Nithisdale (the Fee of)	809	19	7½
Prestonhall	230	17	11½
Strowan	320	6	10
	2028	12	7

No 3.

Names and Yearly Values of Estates unsold, remaining to the Publick.

	l.	s.	d.	l.	s.	d.
Ayton				323	10	5 1/16
Mar	1678	5	8½	1800	01	1¼
Part of *ditto* in *Ross-shire*	121	15	5½			
Glenmorison				57	13	0¾
Seaforth				2350	14	3¾
				4531	18	11¼

No 4.

The Receiver-General for *Scotland*. Dr.

	l.	s.	d.
To Cash receiv'd of the Profits, and Sales of the Estates of *Winton*, *Panmure*, *Kilsyth*, and *East-Reston*.	133388	19	4 9/12
To *ditto* in Part of Interest	1000	00	0
To *ditto* on Account of *Winton* and *Panmure*	338	13	2½
To *ditto* receiv'd of the Profits, Sales, and Interests of the other Estates	14835	03	10 8/12
	149562	16	5 11/12

No 4.

N° 4.

Contra.			Cr.
By Claims paid on *Winton*, *Panmure*, *Kilsyth*, and *East-Reston*.	74521	11	2
By Cash remitted to *England*	27735	02	3
By *ditto* paid of Commissioners Salaries and Incidents	12357	02	2
By *ditto* paid of Salaries to the Officers of the Delegates	2798	19	9
By Cash return'd to *Robert Rollo*	100	00	0
By *ditto* paid to *John Nairn*, Creditor on the Estate of *Bannockburn*	400	00	0
By *ditto* paid to the Countess of *Southesque* and her Son, out of the Estate of *Southesque*.	1691	05	11
By Cash in the Exchequer	29958	15	0
	149562	16	5

The next Day, (*March* 24) the Call of the House was further adjourn'd to that Day three Weeks, the 14th Day of *April* next; and then in a grand Committee, the Commons consider'd further of that Part of his Majesty's Speech which relates to the National Debt, and came to a Resolution.

On Wednesday the 25th of *March*, 1724, the Commons in a grand Committee, went through the Bill *for repealing certain Duties therein mention'd, payable upon Coffee, Tea, Cocoa-Nuts*, &c. and made several Amendments thereto.

The next Day (*March* 26) a Bill was order'd to be brought in, *to prevent Multiplicity of Prosecutions upon an Act made the Eleventh and Twelfth Years of King* William *the Third, for the more effectual employing the Poor*; and then Mr. *Farrer* reported the Resolution of the grand Committee on the National Debts, *viz.* That the Duties upon Whale-fins of *English* catching, in *Greenland*, granted by an Act made Ninth and Tenth *Gulel.* III. and by another Act made 1 *Annæ*, shall from and after the 24th Day of *June*, 1724, cease, determine, and be no longer paid: But after the reading of this Resolution, the same was order'd to be recommitted. This done, the Commons proceeded to take into Consideration the Report from the Commissioners and Trustees of the forfeited Estates in *Scotland*, which being read, was or-

der'd to be printed; as were also the several Reports d Representations laid either before this House the last ssion, or before the last Parliament.

On Friday the 27th, the Commons, in a Committee the whole House, consider'd further of that Part of is Majesty's Speech which relates to the National Debt, d came to two Resolutions, which were on Monday e 30th, reported by Mr. *Farrer*, and agreed to as fol- ws, *viz.*

1. That the Permitting his Majesty's *British* Subjects ading to the *Greenland* Seas, to import in *British* Ships, vigated according to Law, Oyl, Blubber, and Whale- ns, taken and caught in the said Seas, without paying y Duties for the same, during the Space of seven ears, will very much contribute to the regaining the *reenland* Trade, and will encourage Navigation, and romote the Consumption of the Manufactures of this ingdom.

2. That the Duty of three Pence *per* Pound upon hale-fins, granted by an Act of the Ninth and Tenth *Guliel.* III. and continu'd by subsequent Acts, and ade perpetual, be not collected during the said Term seven Years: And a Bill was order'd to be brought pursuant to the said Resolutions.

On Tuesday the last Day of *March*, Mr. Speaker was der'd to issue out his Warrant for a New Writ for e- cting a Burgess for the Borough of *Leverpool* in *Lan- shire*, in the Room of *William Cleaveland*, Esq; de- as'd: And then Mr. *Farrer* reported the Amendments ade in a grand Committee, to the Bill *relating to the uties on Coffee, Tea, Cocoa Nuts*, &c. which, with other mendments, being agreed to, the said Bill was or- r'd to be ingross'd.

On Wednesday the First of *April*, Mr. Speaker was or- r'd to issue his Warrant for a new Writ for the elect- g a Knight of the Shire for the County of *Sussex*, in e Room of the Honourable *Henry Pelham*, Esq; who d accepted the Office of his Majesty's Secretary at ar. Then the Lord *Morpeth* presented to the House a ll *for the better paving and cleansing the Streets in the y of* Westminster, *and Suburbs thereof*, which was re- d'd, read the first Time, and order'd to be read a se- nd Time; and the House having taken into Conside- tion the Report of the Commissioners and Trustees of e forfeited Estates in *Scotland*, it was thereupon re- lv'd, That it appears to this House, that the Pos-

ession

sessions of the Estate of the late Earl of *Seaforth*, attainted of High Treason, have been retain'd by an armed Force, and the Rents have been, and still are levy'd by the Friends of the said late Earl, notwithstanding the constant Endeavours of the Factors employ'd by the Trustees of the forfeited Estates, for collecting the same. Hereupon a Bill was order'd to be brought in *for the more effectual obtaining Possession of the Estate of William late Earl of* Seaforth, *attainted of High Treason*, &c. After which, in a grand Committee, the Bill *for enlarging the Time for hearing and determining Claims by the Trustees for raising Money upon the Estates of the late* South-Sea *Sufferers*, was gone through.

The next Day Mr. Speaker was order'd to issue out his Warrants for two new Writs, one for electing a Burgess for the Borough of *Bridgwater* in the County of *Somerset*, in the Room of *George Doddington*, Esq; who had accepted the Office of one of the Commissioners for executing the Office of Treasurer of his Majesty's Exchequer; the other for electing a Burgess for the Borough of *Hunyton* in the County of *Devon*, in the Room of *William Yonge*, Esq; who had also accepted the Office of one of the Commissioners for executing the Office of Treasurer of his Majesty's Exchequer. Then the Bill *to prevent Multiplicity of Prosecutions upon an Act made the Eleventh and Twelfth of* Wil. III. &c. was order'd to be ingross'd; and the ingross'd Bill *for Relief of insolvent Debtors*, having been read the third Time, was passed and sent up to the Lords. After which the House adjourn'd 'till that Day sev'nnight, by Reason of the *Easter* Holy-Days.

On Thursday the 9th of *April*, Mr. Speaker was order'd to issue out his Warrants for two other new Writs, one for electing a Burgess for the Borough of *Plympton* in the County of *Devon*, in the Room of *Richard Edgecombe*, who had accepted the Office of Vice-Treasurer, Receiver-General, and Paymaster-General of all his Majesty's Revenues in the Kingdom of *Ireland*; the other for electing another Burgess for the said Borough of *Plympton*, in the Room of *George Treby*, Esq; who had accepted the Office of one of the Tellers of the Receipt of his Majesty's Exchequer. Then, upon the Petition of *Richard Edgecombe*, Esq; a Bill was order'd to be brought in *to enable him to take in* Great Britain *the Oath of his Office in* Ireland, *and to qualify himself for the Enjoyment of the said Office*. An ingross'd Bill *to prevent Multiplicity*

ity of Prosecutions, &c. was read the third Time, pass'd, nd sent up to the Lords; as was also an ingross'd Bill *or repealing certain Duties therein mention'd, payable upon Coffee, Tea, Cocoa Nuts, Chocolate*, &c.

April the 10th, Mr. *Farrer* presented to the House a Bill *for permitting his Majesty's* British *Subjects to import from the* Greenland *Seas, in* British *Ships navigated according to Law, Whale-fins, Oyl and Blubber, Duty free, during the Time therein mention'd*; which was read the first, and rder'd to be read a second Time. After this, Mr. Speaker was order'd to issue out his Warrant for a new Writ, or the electing a Burgess for the Town of *Newark upon Trent* in the County of *Nottingham*, in the Room of *Richard Sutton*, Esq; who had accepted the Office of one of the Clerks Controllers of his Majesty's Houshold; and pon the Petition of *George Doddington*, Esq; a Bill as order'd to be brought in *to enable him to take in* Great Britain *the Oaths of Office as Writer of the Tallies and Counter-Tallies, and Clerk of the Pells in the Receipt of the Exchequer in the Kingdom of* Ireland, *and to qualify himself for the Enjoyment of the said Offices.* Then a Bill or *the more effectual obtaining Possession of the Estate of* William *late Earl of* Seaforth, *attainted of High Treason*, &c. was read a second Time, and a Motion being made, nd the Question put, that the Bill be committed, the House happen'd to be so thin of *English* Members, that he said Question pass'd in the Negative. After this, he House adjourn'd to Monday the 13th.

That Day, after the Dispatch of several private Affairs, on the Petition of *Hugh* Viscount *Falmouth*, praying, that a Bill, or a Clause in some Bill, be brought in o enable him to take the Oath of Office of Vice-Treasurer, Receiver-General, and Paymaster-General of all is Majesty's Revenues in the Kingdom of *Ireland*, the id Petition was referr'd to the Committee to whom Mr. *Edgcombe's* Bill was committed; who, accordingly dded to it a Clause pursuant to the Prayer of the said etition.

The next Day (*April* 14) the Amendments made to at Bill, having been reported, and agreed to, the id Bill was order'd to be ingross'd; and the Bill *enable* George Doddington, *Esq; to qualify himself*, &c. as read a second Time, and committed.

On Wednesday the 15th, the ingross'd Bill *to enable* ugh *Viscount* Falmouth, *and* Richard Edgecombe, *Esq; qualify themselves in* Great Britain, &c. was read the

 third

third Time, pass'd, and sent up to the Lords. Then Mr. Serjeant *Birch*, from the Commissioners and Trustees of the forfeited Estates acquainted the House, that they had executed the Powers in *England*, and *Ireland*, contain'd in the several Acts which appointed them; and that they had directed him to present to the House their final Report, which he deliver'd in at the Table, and the same being read, was order'd to be printed.

After this, the Commons in a grand Committee, went through the Bill *for permitting his Majesty's Subjects to import Duty-free from the* Greenland *Seas*, &c. *Whale-fins, Oil and Blubber*, &c. and thereto made several Amendments, which having on the 17th, been reported, and agreed to, the said Bill was order'd to be ingross'd.

The Day before, (Thursday *April* the 16th) the ingross'd Bill *to enable* George Doddington, *Esq; to qualify himself in* Great Britain, *for his Offices in* Ireland, was read the third Time, pass'd, and sent up to the Lords; as were also two other Private Bills. After this, Mr. *Gibbon*, from the Committee of Privileges and Elections, reported the Matter as it appear'd to them, and their Resolutions touching the Election for the County of *Northumberland*, which were agreed to in Substance, as follows, *viz.* That *William Wrighton*, Esq; was not duly elected, and that *Ralph Jenison*, Esq; was duly elected a Knight of that Shire.

On Friday the 17th of *April*, the Commons agreed to the Amendments made by the Lords to the Bill entituled, *An Act for the better viewing, searching, and examining of all Drugs*, &c. and then read the third Time, pass'd, and sent up to the Lords, an ingross'd Bill *for enlarging the Time for hearing and determining Claims, by the Trustees for raising Money upon the Estates of the late Directors of the* South-Sea *Company and others.*

The next Day, (*April* 18.) Mr. Speaker was order'd to issue out his Warrant for a new Writ for the election of a Burgess for the Borough of *Plymouth*, in the County of *Devon*, in the Room of *Patee Byng*, Esq; who had accepted the Office of Treasurer of his Majesty's Navy.

On Monday the 20th, the Commons having nothing material to do, adjourn'd to Wednesday the 22d, when they pass'd two private Bills; after which they adjourn'd again to Friday the 24th.

On that Day Mr. Speaker was order'd to issue out his Warrant for another new Writ for the electing a Burgess for the Borough of *Thirske* in the County of

Yor

York, in the Room of *Thomas Frankland*, Esq; who had accepted the Office of one of the Commissioners of his Majesty's Revenues in the Kingdom of *Ireland*.

The same Day, about Two of the Clock in the Afternoon, the King came to the House of Peers, and being in his Royal Robes seated on the Throne, with the usual State and Solemnity, Sir *William Sanderson*, Gentleman-Usher of the Black-Rod, was sent with a Message from his Majesty to the House of Commons, commanding their Attendance in the House of Peers; the Commons being come thither accordingly, his Majesty was pleas'd to give the Royal Assent to,

An Act for repealing certain Duties therein mention'd, payable upon Coffee, Tea, Cocoa-Nuts, Chocolate, and Cocoa-Paste imported; and for granting certain Inland Duties in lieu thereof; and for prohibiting the Importation of Chocolate ready made, and Cocoa-Paste, and for better ascertaining the Duties payable upon Coffee, Tea, and Cocoa-Nuts imported; and for granting Relief to Robert Dalziell, *late Earl of* Carnwath.

2. *An Act to prevent Multiplicity of Prosecutions, upon an Act made in the Eleventh and Twelfth Years of the Reign of his late Majesty King* William III. *Intituled*, An Act for the more effectual employing the Poor, by encouraging the Manufactures of this Kingdom.

3. *An Act for continuing the Acts for preventing Theft and Rapine upon the Northern Borders of* England; *and for better regulating of Pilots; and for regulating the Price and Assize of Bread; and for better Encouragement of the making of Sail-Cloth in* Great Britain.

4. *An Act for explaining the Law concerning the Tryal and Admission of the Ordinary Lords of Session.*

5. *An Act for the better viewing, searching, and examining all Drugs, Medicines, Waters, Oyls, Compositions, used, or to be used for Medicines, in all Places where the same shall be expos'd to Sale, or kept for that Purpose, within the City of* London *or Suburbs thereof, or within seven Miles circuit of the said City.*

6. *An Act for enlarging the Times for hearing and determining Claims by the Trustees for raising Money upon the Estates of the late Directors of the* South-Sea *Company, and others; and for reviving and continuing the Provision formerly made against requiring special Bail in Actions or Suits upon Contracts for Stock or Subscriptions between the first Day of* December, 1719, *and the first Day of* December, 1720: *And for other Purposes therein mention'd.*

7. *An Act for encouraging the* Greenland *Fishery.*

8. *An Act to explain and amend an Act pass'd in the sixth Year of his Majesty's Reign, Intituled,* An Act for ascertaining the Breadths, and preventing Frauds and Abuses in manufacturing Serges, Pladings, and Fingrums; and for regulatng the Manufactures of Stockings in that Part of *Great Britain* call'd *Scotland, so far as the same relates to Serges.*

9. *An Act for repairing the Road leading from* Dunchurch *in the County of* Warwick, *to the Bottom of* Meriden Hill *in the same County.*

10. *An Act for repairing the Road leading from* Stump-Cross *in the Parish of* Chesterford *in the County of* Essex, *to* Newmarket-Heath, *and the Town of* Cambridge *in the County of* Cambridge.

11. *An Act for amending the Roads from the Stones End in* Southwark, *to* Highgate *at the Entrance of* Ashdown Forest *in the Parish of* East-Grimsted *in the County of* Sussex, *and from* Kingston *to* Burton Common; *and also the Lane leading from* Woodhatch *to* Sidlow Mill, *and the Lanes call'd* Horsehills, Bonehurst *alias* Boners, *and* Petridge-Lanes *in the County of* Surrey, *by enlarging the Terms granted by two former Acts, one of the Fourth and the other of the Sixth Year of his Majesty's Reign.*

And to 14 private Bills.

After which his Majesty was pleas'd to make the following most gracious Speech:

My Lords and Gentlemen,

THE Unanimity, Chearfulness, and Dispatch with which you have now finish'd every thing I recommended to you at the Opening this Session, are fresh instances of your Affection to my Person and Government, and cannot fail of contributing, with the Blessing of God on our Endeavours, towards the Establishment of the happy Tranquillity we now enjoy, both at Home and abroad.

Your continuing the like National Force by Sea and Land this Year, as was judg'd necessary by Parliament for the Service of the last, gives me great Satisfaction. You have hereby wisely provided against the Mischiefs from any sudden Shocks to publick Credit; you have provided for the Safety of the Kingdom, and have enabled this Nation to hold among the Powers of Europe the Rank and Figure due to her Honour and Dignity. Nothing could have been more acceptable to me, than

you

your having been able to make that Provision without laying any new or additional Burthens on my People.

Gentlemen of the House of Commons,

I return you my Thanks for the Care and Pains you have taken towards augmenting the Sinking Fund, and improving the publick Revenues by putting them under a stricter Management. I make no Doubt but that the happy Beginning you have made will be attended with such immediate good Consequences, as will encourage you to pursue the Way you have now open'd for a gradual Reduction of the Debt, and for putting the Trade and Navigation of *Great Britain* on such a Foot, as may not only in some Measure discourage the unjustifiable Encroachments they labour under from some of our Neighbours, but at the same Time, extend her Exportations beyond what has been known in former Ages.

My Lords and Gentlemen,

As the early Recess, which your Diligence and Unanimity has procur'd you, affords you the Opportunity of a longer Retirement into the Country, than the Business of former Sessions has usually allow'd of; I assure myself, that you will carry with you thither, the same Zeal for the publick Good, with which you have been animated in Parliament; and that you will make it your Business to discountenance any Remains there may be yet left of Sedition or Disaffection, and to promote that perfect Harmony and Confidence between me and my People, which I most earnestly desire, and on which our mutual Happiness entirely depends.

And then the Lord Chancellor, by his Majesty's Command, said,

My Lords and Gentlemen,

IT is his Majesty's Royal Will and Pleasure, That this present Parliament be prorogu'd to Thursday the fourth Day of *June* next, to be then here held; and this Parliament is accordingly prorogu'd to Thursday the fourth Day of *June* next.

IRELAND.

IRELAND.

Proceedings of the Parliament of Ireland, *continu'd from Page* 137 *of the foregoing Register.*

ON the 12th of *October*, the Commons unanimously resolv'd, that in Case it shall appear, any Person hath procur'd himself to be elected or return'd as a Member of this House, or endeavour'd so to be, by Bribery, or any other corrupt Practices, this House will proceed with the utmost Severity against such Person. Then Mr. Chancellor of the Exchequer reported from the Committee of the whole House, appointed to take into Consideration the Supply granted to his Majesty, that they had come to several Resolutions in the Matter to them referr'd, which he read in his Place, and after delivered at the Table, where the same were again read and are as follow.

1. That it is the Opinion of this Committee, that the Sum of 66318 *l.* 8 *s.* 3 *d.* 1 *q.* is the Debt of this Nation at *Christmas*, 1723.

2. That a Supply be granted to his Majesty for Payment of the said Debt, and towards supporting the necessary Branches of the Establishment for two Years from *Christmas*, 1723, to *Christmas*, 1725.

3. That a Sum of 1000 *l.* be given to *Thomas Burgh* Esq; as an Encouragement for inventing and publishing a new Method of ascertaining the Contents of any Survey, which will prevent the Errors the present Methods are liable to.

4. That a Sum of 2000 *l.* be advanc'd to the Subscribers for making the River *Liffey* navigable, towards the carrying on and compleating the Works on the said River, and making the same navigable; Security being first given by mortgaging the Interest of the said Subscribers to the Receiver-General, or his Deputy for the Time being, for securing the Repayment of the said Sum, out of the Moiety of the clear Profits of the said Navigation.

5. That a Sum of 1500 *l.* be given to the Trustees of the Linen Manufacture, towards building the Linen Hall.

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6. That a Sum of 2000 *l. per Annum*, for two Years, e given to the Trustees of the Linen Manufacture, to ncourage the raising sufficient Quantities of Hemp and ax in this Kingdom.

7. That a Sum not exceeding 1000 *l.* be given to be ap-ly'd to the building a Chapel in a convenient Place, for e Use of the Officers and Soldiers quarter'd in the Bar-cks of *Dublin*.

8. That a Sum of 300 *l.* be given to *Matthew Penefa-er*, Esq; Accomptant-General, as a Reward for his Ex-nce and Trouble in preparing and stating the publick ccounts of the Nation, laid before this House this ssion of Parliament.

9. That a Sum of 300 *l.* be given to *Bruen Worthing-*, a Clerk of this House, as a Reward for his Atten-nce and Service this Session of Parliament.

10. That a Sum of 200 *l.* be given to *Isaac Ambrose*, a erk of this House, as a Reward for his Attendance d Service this Session of Parliament.

11. That a Sum of 200 *l.* be given to the said *Bruen rthington* and *Isaac Ambrose*, as a Recompence for their raordinary Expence in preparing Copies of the pub-k Accounts for the Members of this House.

12. That a Sum of 200 *l.* be given to *John Kerr*, Clerk-istant, as a Reward for his Attendance and Service s Session of Parliament.

13. That a Sum of 300 *l.* be given to *Richard Povey*, jeant at Arms, as a Reward for his Attendance and vice this Session of Parliament.

14. That a Sum of 250 *l.* be given to *William Bayly* *Henry Buckley*, the Clerks attending the Committee Accounts and other Committees, as a Reward for ir Attendance and Service this Session of Parliament, be equally divided between them.

15. That a Sum of 80 *l.* be given to *John Fieldhouse* and *Molloy*, Door-Keepers to this House, as a Reward their Attendance and Service this Session of Parlia-nt, to be equally divided between them.

16. That the Supply granted to his Majesty, be a Sum exceeding 339368 *l.* 6 *s.* 6 *d.* 1 *q.*

To which Resolutions the Question being severally , the House did agree with an Amendment.

The same Day (*Oct.* 12) Mr. *Thomas Upton* reported m the Committee appointed to inspect and enquire at Laws are expir'd, or near expiring, that are fit to teviv'd or continu'd; that they had come to several

Resolutions in the Matter to them referr'd, which he read in his Place, and after deliver'd at the Table, where the same were again read, and agreed to by the House with an Amendment, and are as follow.

1. Resolv'd, That it is the Opinion of this Committee, that an Act entituled, *An Act for the Exchange of Glebes belonging to Churches in this Kingdom*, is a Law fit to be continu'd with some Amendments.

2. That an Act, entituled, *An Act for the better Preservation of the Game*, is a Law fit to be reviv'd with some Amendments.

3. That an Act entituled, *An Act for vesting in his Majesty, his Heirs and Successors, the several Lands, Tenements and Hereditaments, whereon the Barracks in this Kingdom are built, or building, or contracted for, and whereon Light-Houses are, or shall be built, and for making reasonable Satisfaction to the several Owners and Proprietors for the same*; and likewise for amending an Act made in the sixth Year of her late Majesty's Reign, entituled, *An Act to prevent the Disorders that may happen by the marching of Soldiers, and for providing Carriages for the Baggage of Soldiers, in their March*, is a Law fit to be continu'd with some Amendments.

4. That an Act pass'd in this Kingdom, in the Second Year of his present Majesty's Reign, entituled, *An Act to make the Militia of this Kingdom more useful*, is a Law fit to be continu'd with some Amendments.

5. That an Act pass'd in this Kingdom, in the fourth Year of his present Majesty's Reign, entituled, *An Act for the preserving all such Ships and Goods thereof, which shall happen to be forc'd on Shore, or stranded upon the Coasts of this Kingdom*, is a Law fit to be continu'd with some Amendments.

6. That an Act pass'd in this Kingdom, in the fifth Year of his present Majesty's Reign, entituled, *An Act for the more effectual preventing the running of Goods, and for the further preventing the Frauds committed in his Majesty's Customs*, is a Law fit to be continu'd with some Amendments.

7. That an Act, entituled, *An Act for the further Amendment of the Laws in Relation to Butter and Tallow Casks, Hides, and other Commodities of this Kingdom, and for preventing the Destruction of Salmon*, is a Law fit to be continu'd with some Amendments.

8. That an Act, entituled, *An Act to oblige Ships com-ng from infected Places, more effectually to perform their Quarentine, and for the better preventing the Plague being rought from foreign Parts into this Kingdom*, is a Law fit o be continu'd with some Amendments.

9. That a Clause in an Act, entituled, *An Act for uitting and discharging all Persons in Offices or Employ-ents, from the Penalties they may have incurr'd, by ot qualifying themselves, pursuant to the Act to prevent he further Growth of Popery, and for limiting the Time for rosecutions on the said Act, whereby all such Persons as ad neglected to qualify themselves according to the said Act, to prevent the further Growth of Popery, were freed rom all Penalties and Forfeitures*, is fit to be reviv'd, in espect of the Time therein limited and appointed for ach Persons to qualify themselves, with some Amend-ents.

10. That an Act made in the twelfth Year of the eign of Queen *Elizabeth*, entituled, *An Act for the rection of Free-Schools*, is a Law fit to be amended. nd thereupon it was order'd, That Leave be given to ring in Heads of one or more Bill or Bills, upon the id Resolutions, and that it be referr'd to the said Com-ittee, to prepare and bring in such Heads of a Bill Bills.

On Monday the 14th of *October*, the Commons or-r'd Heads of a Bill to be brought in *for regulating buses committed in buying and selling of Cattle and Sheep the several Markets in the Kingdom of* Ireland; and en order'd also, that the proper Officer do lay before is House an Account of what Number of Officers up-this Establishment, have dy'd, from the 25th of *arch*, 1721, to the 29th of *September* last; as also, hat Number of Half-pay Officers have been provi-d for, or transferr'd to the *English* Establishment with-that Time.

The next Day (*Oct.* 15) a Petition of *Bartholomew retch*, in Behalf of himself, and several other *Roman* atholick Merchants, Tradesmen, and Dealers of the ty of *Limerick*, praying, that a further Time be given em to enter into Security for their Wives, Children, d Servants, pursuant to an Act to prevent the further owth of Popery, was presented to the House, read, d referr'd to a Committee, which was thereupon ap-inted, with Power to send for Persons, Papers, and

Records. After this, it was resolv'd, *Nem con.* That an humble Address be presented to his Majesty, humbly beseeching his Majesty, that he will be graciously pleas'd to give such Directions as he in his great Goodness shall think proper, to prevent the Increase of the Debt of this Nation; and that Mr. Speaker, with the House, do attend his Grace the Lord Lieutenant with the said Address, and desire the same may be laid before his Majesty in the most effectual Manner, as the Address of this House.

On Wednesday the 16th, the Commons went into a Committee of the whole House, to consider of Ways and Means to raise the Supply, and came to several Resolutions, the Report whereof was put off to the next Day. After this, a Petition of *George Rooke*, Sen. *Abel Strettel*, *John Hoope*, *Joseph Gill*, *John Barclay*, *Samuel Braithwate*, *John Barcroft*, *Thomas Ducket*, *Edward Cooper*, *William Penrose*, *John Boles*, and *Solomon Watson*, in Behalf of themselves and the rest of their Society, the People call'd Quakers, in this Nation, praying, that Leave may be given to bring in Heads of a Bill for granting them an Affirmation instead of an Oath, was presented to the House, read, and thereupon order'd, that Leave be given to bring in Heads of a Bill, according to the Prayer of the said Petition.

The next Day (*Oct.* 17) Mr. Chancellor of the Exchequer, reported from the Committee of the Whole House, appointed to consider of Ways and Means for raising the Supply granted to his Majesty, that they had come to several Resolutions, which he read in his Place, and after deliver'd at the Table, where the same were again read, and are as follow:

1. That it is the Opinion of this Committee, that towards raising the Supply granted to his Majesty, the several and respective additional Rates, Duties, and Impositions upon Beer, Ale, Strong Waters, Tobacco, and other Goods and Merchandizes, granted and continued from the 25th Day of *December*, 1721, until the 25th Day of *December*, 1723, by an Act pass'd the last Session of Parliament in this Kingdom, entituled, *An Act for granting and continuing to his Majesty the additional Duties on Beer, Ale, Strong Waters, Tobacco, and other Goods and Merchandizes; and also upon all Sorts of Strong Waters and Spirits perfectly made, and upon all Spirits made and distilled of Wine; and also for granting and continuing the further additional Duties on Beer, Ale,* Aqua Vitæ, *and Strong Waters*

ers, brew'd and made in this Kingdom, and upon Brandy, r Spirits above Proof, and on Tea, Chocolate, and Cocoa-Nuts; and also a Tax on all Salaries, Profits of Employment, ees and Pensions therein mention'd, and for securing the Re-ayment of 50000 l. *Sterling, formerly advanc'd to his Ma-esty, f r the Use of the Publick, together with the Interest hereof*, be further granted, continu'd, rais'd, collected, evied, and paid unto his Majesty, from the 25th Day f *December*, 1723, until the 25th Day of *December*, 1725, nclusive.

2. That the several and respective, and other addi-ional Rates, Duties, and Impositions, for and upon all orts of Wines and Strong-Waters, and Spirits perfectly nade and distill'd of Wine, that shall be imported into his Kingdom, granted and continu'd to his Majesty last ession of Parliament by the said Act, be rais'd, paid, nd continu'd from the said 25th Day of *December*, 1723, o the 25th Day of *December*, 1725, inclusive.

3. That the further additional Duties of Excise upon eer, Ale, and other Liquors granted and continu'd to is Majesty last Session of Parliament by the said Act, e rais'd, paid, and continu'd from the said 25th Day f *December*, 1723, to the 25th Day of *December*, 1725, nclusive.

4. That the further additional Duty upon all *Aqua itæ*, Strong Waters, or Spirits, made or distill'd within his Kingdom for Sale, granted to his Majesty last Session f Parliament by the said Act, be rais'd, paid, and con-inu'd, from the said 25th Day of *December*, 1723, to the 5th Day of *December*, 1725, inclusive.

5. That the further additional Duty on every Gal-n of Brandy, or Spirits above Proof, which shall be nported into this Kingdom, granted to his Majesty e last Session of Parliament by the said Act, be rai-d, paid, and continu'd from the said 25th Day of ecember, 1723, to the 25th Day of *December*, 1725, in-lusive.

6 That the Clause or Clauses in the said Act for reventing the mixing of small Worts with strong Ale Beer, after the Gauger hath taken the Gauge there-f, be continu'd, and be in Force, from the 25th Day f *December*, 1723, to the 25th Day of *December*, 1725, nclusive.

7. That the Clause or Clauses in the said Act, im-owering Gaugers to take an Account of all Wash and

Low Wines in Distillers Hands, the better thereby to ascertain the Quantity of *Aqua Vitæ*, Strong-Waters, and Spirits by them distill'd, be continued, and in Force, from the said 25th Day of *December*, 1723, to the 25th Day of *December*, 1725, inclusive.

8. That the Sum of 6 *d. per* Pound, and all other Fees which shall or may be payable out of the Aids granted this present Session of Parliament, be apply'd towards raising the Supply granted to his Majesty.

9. That a Tax be laid upon all Salaries, Profits of Employments, Fees, and Pensions upon the Civil and Military Establishments, payable to Persons living out of this Kingdom, except the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom for the Time being, and also such as by their Offices and Employments are oblig'd to an immediate Attendance upon the Persons of his Sacred Majesty, or the Royal Highnesses the Prince and Princess of *Wales*, or their Issue, during their Continuance in such the Offices and Employments, and also the Officers of the Army, and Half pay Officers, upon this Establishment.

10. That the said Tax laid upon all Salaries, Profits of Employments, Fees, and Pensions, be 4 *s.* in Pound.

11. That the said Tax of 4 *s. per* Pound upon Salaries, Profits of Employments, Fees, and Pensions do commence the 25th Day of *December*, 1723, and continue to the 25th Day of *December*, 1725, inclusive.

12. That towards raising the Supply granted to his Majesty, the additional Duty on all Coffee, Tea, Chocolate, and Cocoa-Nuts, which shall be imported into this Kingdom, granted by the said Act the last Session of Parliament, be rais'd, paid, and continu'd, from the 25th Day of *December*, 1723, to the 25th Day of *December*, 1725, inclusive.

To which Resolutions the Question being severally put, the House did agree.

After this it was order'd, 1st, that Heads of one or more Bills be brought in upon the said Resolutions. 2d, That it be an Instruction to the said Committee to insert a Clause or Clauses in the said Heads of a Bill or Bills, to secure the Payment of the principal Sum of 50000 *l.* advanc'd to the Government, pursuant to a former Vote of this House, together with Interest

e same, at the Rate of 7*l. per Cent.* during the Time shall continue unpaid. 3dly, That it be also an Instruction to the said Committee, to insert a Clause or Clauses in the said Heads of a Bill or Bills for applying he Duties laid on Tea, Coffee, Chocolate, and Cocoa Nuts, for the Use and Encouragement of the Hempen and Flaxen Manufacturers of this Kingdom.

Then Mr. *Moore*, Deputy Muster-Master-General, delivered at the Bar, an Account of what Number of Officers upon the Establishment, have dy'd from the 25th Day of *March*, 1721, to the 29th of *September* last, 1723, and an Account of what Number of Half-pay Officers have been provided for, or transferr'd to the *English* Establishment, from the 25th of *March*, 1721, to the 29th of *September* last, 1723. Which Accounts were read at the Table.

Then Mr. *Busteed* presented to the House Heads of a Bill for the Relief of insolvent Debtors, which were received and read, and committed to a Committee of the whole House, this Day sev'nnight.

Then the House according to Order, resolv'd itself into a Committee of the whole House, to take into Consideration Heads of a Bill for the further Encouragement in the finding and working of Mines and Minerals in this Kingdom.

The next Day (*Oct* 18) Mr. Speaker reported, that the House did the Day before, attend his Grace the Lord Lieutenant at the Castle, with the Address of this House to his Majesty, and that thereupon his Grace was pleased to return the Answer following:

Will by the first Opportunity, lay this Address before his Majesty.

Mr. *Rose* reported from the Committee, appointed to take into Consideration the Petition of *Bartholomew Kretch*, in Behalf of himself and several other *Roman Catholick* Merchants, Tradesmen, and Dealers of the City of *Limerick*, that they had come to a Resolution in the Matter to them referr'd, which he read in his Place, and after deliver'd at the Table, where the same was again read and agreed to, and is as followeth, *viz.* Resolv'd, That it is the Opinion of this Committee, that the Petitioner hath fully prov'd the Allegations of his Petition, to the Satisfaction of the Committee: Whereupon it was order'd, that Leave be given to bring in Heads

of a Bill, for granting a further Time to the *Roman Catholick* Inhabitants of *Limerick*, to enter into Security for themselves, Wives, Children, and Servants, pursuant to an Act, to prevent the further Growth of Popery.

On the 19th of *October*, a Petition of *John Bingham*, Esq; complaining of several most malicious and groundless Informations given in against him by several Persons, purely for his having been active in putting the Laws against Papists in Execution, in order to deter him and other Magistrates from doing their Duty, and praying Relief, was presented to the House of Commons, read, and referr'd to the Consideration of a Committee, with Power to send for Persons, Papers, and Records. Then Heads of a Bill were order'd to be brought in, *for regulating Tryals at Law, and Proceedings of the Assizes.*

On Monday the 21st, Dr. *Trotter* reported from the Committee, appointed to enquire into the Growth of Popery, and to consider of the most effectual Means to prevent the same, that they had come to several Resolutions in the Matter to them referr'd, which he read in his Place, and after deliver'd at the Table, where the same were again read, and are as follow, *viz.*

Resolv'd, That it is the Opinion of this Committee,

1. That Popery has greatly increas'd within these few Years in this Kingdom, occasion'd by the many Ways found out and practis'd by the Papists to evade the several Laws already made to prevent the further Growth of Popery.

2. That the Neglect of several Magistrates and Officers of the Peace in executing the Laws against Papists, has greatly contributed to the Growth of Popery.

3. That the recommending Persons converted from the Popish Religion, by which they may be put more early into the Commission of the Peace, is highly prejudicial to the Protestant Interest of this Kingdom.

4. That it is highly prejudicial to the Protestant Interest, and an Encouragement to Popery, that any Person marry'd to a Popish Wife, should bear any Office or Employment under his Majesty.

5. That no Person who is or shall become a Convert from the Popish to the Protestant Religion, ought to be capable

pable of any Office or Employment under his Ma-
ty, unless he shall breed up all his Children, to the
ge of 14 Years, to be of the Church of *Ireland*, as by
w established.

6. That no Person that is or shall be converted from
e Popish to the Protestant Religion, be capable of any
fice or Employment under his Majesty, or practise as
Barrister, Attorney, or Solicitor, for the Space seven
ears next after his Conversion, and unless he brings
Certificate of having receiv'd the Sacrament thrice in
ery Year during the said Term.

7. That no Person who is or shall be converted
om the Popish Religion, ought to be deem'd or
ken as a Protestant, in any Respect whatsoever,
at has not already, or shall not within a Year,
oduce a Certificate of his Conversion, and enroll the
me.

8. That notwithstanding the Laws now in Being
ainst Popery, the Number of Popish Priests and
vars has of late Years greatly increas'd in this King-
m, to the Danger of the Protestant Religion.

And the five first Resolutions being severally put,
e same were agreed to by the House, *Nemine contradi-
te.* And the sixth Resolution being put, the same
s agreed to by the House, with an Amendment. And
e seventh and eighth Resolutions being severally put,
e same were agreed to by the House, *Nemine contradi-
te.*

And thereupon it was order'd, That Leave be given
bring in Heads of a Bill, *for explaining and amend-
the Acts to prevent the further Growth of Popery, and
strengthening the Protestant Interest of this Kingdom.*
d that it be referr'd to the same Committee, to
epare and bring in the said Heads of a Bill.

The next Day (*Oct* 22.) Mr. Chancellor of the Ex-
equer presented to the House Heads of a Bill *for
nting and continuing to his Majesty the additional Duties
Beer, Ale, Strong Liquors, Tobacco, and other Goods and
rchandizes*, &c. which were receiv'd, read, and com-
tted to a Committee of the whole House. He also
esented other Heads of a Bill *for accepting the solemn
rmation or Declaration of the People call'd Quakers, in-
d of the Oath in the usual Form.* And Mr. *Betteswort*
sented also Heads of a Bill *to prevent the Butchers gash-
and Cutting Hides and Skins, and to prevent the Frauds
mitted by Tanners in their insufficient and deceitful work-*

ing,

ing, *dressing and Tanning of Leather*: Both which were receiv'd, read, and referr'd to a grand Committee; and were also, Heads of a Bill presented by Mr. Solicitor-General, *for amending an Act for Redress of certain Abuses in making Pewter and Brass.* After this, Heads of a Bill were order'd to be brought in, for continuing and amending an Act, entituled, *An Act for the better regulating the Parish Watches, and amending the Highways in this Kingdom, and for preventing the Misapplication of publick Money.*

Oct. 24. It was order'd, 1st, That it be an Instruction to the Committee of the whole House, to whom Heads of a Bill *for granting and continuing to his Majesty the additional Duties on Beer, Ale, Strong Waters, Tobacco, and other Goods and Merchandizes; and also upon all Sorts of Wine, Strong Waters, and Spirits perfectly made, and upon all Spirits made and distill'd of Wine; and also for granting and continuing the further additional Duties on Beer, Ale,* Aqua Vitæ, *and Strong Waters, brew'd and made in this Kingdom, and upon Brandy, or Spirits above Proof, and on Tea, Coffee, Chocolate, and Cocoa-Nuts; and also a Tax on all Salaries, or Profits of Employments, Fees, and Pensions, herein mention'd, and for securing the Re-payment of* 50000 l. *Sterling, formerly advanc'd to his Majesty for the Use of the Publick, together with the Interest thereof,* are committed, to receive a Clause, that in Case any of the Subscribers to the 50000 *l.* Loan to his Majesty, shall refuse to accept 7 *l. per Cent.* Interest for the Sum by him or them advanc'd, the Vice-Treasurer or his Deputy, shall pay the same, taking an Assignment of such Subscription, which he may assign or transfer to any Person who will advance the same, for the Use of the Publick, at 7 *l. per Cent.*

2dly, That it be also an Instruction to the said Committee, to receive a Clause, That the addittional Pay of 1 *d. per diem*, to each Foot-Soldier, 4 *d. per diem* to each Trooper, and 2 *d. per diem* to each Dragoon, may be paid them without any Deduction whatsoever.

3dly, That Leave be given to bring in Heads of a Bill, for explaining and amending an Act, intituled, *An Act for the erecting of Free-Schools.* And that the next Day (*Oct.* 25.) the Commons order'd, that Leave be given to bring in Heads of a Bill *for better qualifying Persons to be Justices of the Peace*; and that the proper Officers do lay before this House, a List of the Persons now

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Justices of the Peace, since the Year 1710. Then a Petition of the several Woollen-Drapers, Weavers, and Clothiers of the City of *Dublin*, in Behalf of themselves, and the other Drapers, Weavers, and Clothiers of this Kingdom, praying Relief in Relation to the great Decay of Trade in the Woollen Manufacture, was presented to the House, read, and referr'd to a Committee. After this, it was order'd, that it be an Instruction to the Committee appointed to prepare and bring in Heads of one or more Bill or Bills upon the Resolutions of the Committee who were appointed to inspect and enquire what Laws are expir'd, or near expiring, *&c.* to insert a Clause for granting a further Time to the *Roman* Catholick Inhabitants of *Limerick*, to enter into Security for themselves, Wives, Children, and Servants, pursuant to an Act to prevent the further Growth of Popery. A Petition of the Master, Wardens, and Brethren of the Corporation of Tanners in the City of *Dublin*, in Behalf of themselves and others, praying to be heard by their Counsel against Heads of a Bill *to prevent the Butchers gashing and cutting Hides and Skins, and to prevent the Frauds committed by Tanners in their insufficient and deceitful working, dressing, and tanning of Leather*, was presented to the House, read, and referr'd to the Committee of the whole House, to whom the said Heads of a Bill were committed. Then it was order'd, that the Marshals of the Four Courts of the City of *Dublin*, and Liberties thereto adjoining, do lay before this House an Account of what Prisoners they have in their Custody, the Times when they were committed, and for what Sums. A Petition of *Tristram Fortick*, Sadler, *Henry Keating*, Coach-maker, and *Thomas Medcalf*, Shoemaker, in Behalf of themselves, and all other the Sadlers, Coach-makers, and Shoe-makers in this Kingdom, setting forth the Abuses committed by the Butchers, in gashing and cutting of Hides and Skins, and by the Tanners, in their deceitful tanning of Leather; and praying a Remedy for such Mischiefs, was presented to the House, read, and referr'd to the Committee of the whole House.

Then the House resolv'd itself into a Committee of the whole House, to take into further Consideration Heads of a Bill *for further Encouragement in the finding and working of Mines and Minerals in this Kingdom.* As also Heads of a Bill *for the further Amendment of the*

Laws in Relation to Butter, Tallow, Beef, Hides, and other Commodities of this Kingdom, &c.

On the 26th of *October*, a Petition of the Master, Wardens and Brethren of the Corporation of Curriers of the City of *Dublin*, in Behalf of themselves and others, praying to be heard by their Counsel against Heads of a Bill *to prevent the Butchers gashing and cutting Hides and Skins, and to prevent the Frauds committed by Tanners, in their insufficient and deceitful working, dressing, and tanning of Leather*, was presented to the House, read, and referr'd to the Committee of the whole House, to whom the said Heads of a Bill are committed. Then Mr. Chancellor of the Exchequer, according to Order, reported from the Committee of the whole House, to whom Heads of a Bill *for granting and continuing to his Majesty the additional Duties on Beer, Ale, Strong Waters, Tobacco, and other Goods and Merchandizes, and also upon all Sorts of Wine, Strong Waters, and Spirits perfectly made*, &c. were committed; that they had gone through the same, Paragraph by Paragraph, and agreed thereto with some Amendments, which he read, and after deliver'd at the Table, where the same were again read, and agreed to by the House; and thereupon it was order'd, That Mr. Chancellor of the Exchequer do attend his Grace the Lord Lieutenant with the said Heads of a Bill, and desire the same may be transmitted into *Great Britain* in due Form. It was also order'd, that the proper Officer do lay before this House, a List of the Fees taken on passing Commissions, for making Justices of the Peace; as also a List of the several Fees taken at the Secretary's-Office, for passing Commissioners for Civil and Military Employments, and all other Patents in their Office. Then Mr. *Madden*, Deputy-Clerk of the Crown, according to Order, deliver'd at the Bar, a List of such Persons as were put into the Commission of the Peace since *January*, 1710, which was order'd to lye on the Table.

On the 28th, Mr. *Madden*, laid also before the House a List of the Fees taken on passing Commissions for making Justices of the Peace; and Mr. *St. Leger* reported from the Committee of the whole House to whom Heads of a Bill *for the further Preservation of the Game*, were committed, that they had gone through the same, and agreed thereto with some Amendments, which he read, and after deliver'd at the Table, where the same were again read, and agreed to by the House; and there-

hereupon it was order'd, that Mr. *St. Leger* do attend his Grace the Lord Lieutenant with the said Heads of a Bill, and desire the same may be transmitted into *Great Britain* in due Form. After this, Mr. *Pearson*, Marshal of the Four Courts, *Dublin*, according to Order, deliver'd at the Bar a List of the several Prisoners in the Custody of the Marshal of the four Courts, *Dublin*, the Times when committed, the Creditors Names, and the Sums for which they stand charg'd. Mr. *John Forrest*, City-Marshal, deliver'd also a List of the Prisoners in the *Marshalsea* of the City of *Dublin*; as did likewise Mr. *John Johnson*, Marshal of the Liberties of *Thomas Court* and *Donore*, an Account of what Prisoners are now in Custody in the *Marshalsea* of *Thomas-Court* and *Donore*, when committed, and for what Sums. All which Papers were order'd to lie on the Table, to be perused by the Members of the House.

The same Day, Mr. *William Vesey* reported from the Committee of the whole House, to whom Heads of a Bill *for further Encouragement in the finding and working of Mines and Minerals within this Kingdom*, were committed, that they had gone through the same, and agreed thereto with some Amendments, which he read in his Place, and after deliver'd at the Table, where the same were again read, and agreed to by the House. And a Clause being offer'd to be added to the said Heads of a Bill, the same was also read, and agreed unto by the House with an Amendment; and thereupon it was order'd, that Mr. *William Vesey* do attend his Grace the Lord Lieutenant with the said Heads of a Bill, and desire the same may be transmitted into *Great Britain* in due Form. Then Mr. *Maddocks* from the Chief Secretary's Office, deliver'd at the Bar, a Table of Fees taken at the Chief Secretary's Office; and Mr. *Lingen* deliver'd also at the Bar, a Table of Fees taken at the Second Secretary's Office; both which were order'd to lie on the Table. A Committee was afterwards appointed to consider of proper Methods to preserve the Fry of Fish in Fresh and Salt-Waters, and how the Fisheries of the Kingdom may be made more advantageous.

October 29. Mr. *Wolseley* reported from the Committee of the whole House, to whom Heads of a Bill *for regulating the Abuses committed in buying and selling of Cattle and Sheep in the several Markets in this Kingdom*, were committed, that they had agreed thereto with some Amendments, which he read in his Place, and after deliver'd

at the Table, where the same were again read, and agreed to by the House, with a further Amendment: And it was thereupon order'd, that Mr. *Wolseley* do attend his Grace the Lord Lieutenant with the said Heads of a Bill, and desire the same may be transmitted into *Great Britain* in due Form. Then Mr. *Robert Allen* presented to the House Heads of a Bill *for the better qualifying Justices of the Peace*, which were receiv'd, read, and referr'd to a grand Committee.

On Wednesday the 30th, the Commons, in a Committee of the whole House, went through Heads of a Bill *for amending the several Laws now in Force for encouraging the Hempen and Flaxen Manufactures of this Kingdom, and for the further Improvement thereof.*

The next Day, (*Oct.* 31.) Mr. Secretary *Hopkins* inform'd the House, that he was commanded by his Grace the Lord Lieutenant to acquaint them, that his Majesty had been pleas'd to return a most gracious Answer to the Address of this House, which he deliver'd at the Table, and was as follows;

George R.

'HIS Majesty thanks the House of Commons for their very loyal and dutiful Address, and is fully persuaded from the many Instances they have given of their Zeal and Affection to his Person and Government, that they will make good those Assurances which they now repeat, of supporting his Government with the greatest Chearfulness and Unanimity. His Majesty is fully satisfied of their Abhorrence and Detestation of the late wicked and dangerous Conspiracy, and his Majesty will omit nothing that may contribute to the Maintenance of the Religion, Liberties and Properties of his People.

After the reading of this Answer by Mr. Speaker, the same was order'd to be entred in the Journals of the House; and a Committee was appointed to draw up an Address of Thanks to his Majesty, for the said most gracious Answer: It was also order'd, that Leave be given to bring in Heads of a Bill *for preventing several Abuses committed by Millers, Bakers, and Farmers*; and then, in a grand Committee, some Progress was made in the Quakers Bill.

On the 1st of *November*, Mr. *Prat* presented to the House Heads of a Bill *for preventing several Abuses committed by Millers, Bakers, and Farmers*, which were receiv'd

v'd, read, and committed to a grand Committee: en Mr. *Tighe* reported from that Committee the A-ndments made to Heads of a Bill for continuing and ending an Act, entituled, *An Act for the better re-ating the Parish Watches, and amending the Highways, d for the preventing the Misapplication of publick Money*: hich, with some further Amendments, was agreed to; d a Clause *to prevent Mischiefs which may happen by gra-g Ships in the River* Liffy, *and to prohibit the keeping of res on Board Ships lying in the said River*, being offer'd be added to the said Heads of a Bill, the same was o read, and agreed unto by the House, with some A-ndments: After which, it was order'd, that Mr. *ghe* do attend his Grace the Lord Lieutenant with the d Heads of a Bill, and desire the same may be trans-tted into *Great Britain* in due Form. Then in a grand mmittee, some Progress was made in the Heads of Bill *for the Relief of insolvent Debtors*; and Dr. *Trot-* presented to the House Heads of a Bill *for explaining d amending the Acts to prevent the Growth of Popery, and strengthening the Protestant Interest in the Kingdom of* eland, which were receiv'd, read, and committed to a mmittee of the whole House.

The next Day, the Commons, in a grand Committee, nt through Heads of a Bill for amending the Act *for dress of certain Abuses in making Pewter and Brass*; d in the same Committee, made some Progress to ads of a Bill for explaining and amending the Act *for Preservation of the Inheritance, Rights and Profits Lands belonging to the Church, and Persons Ecclesiasti-*

On Tuesday the 5th of *November*, Mr. Solicitor-Gene-l reported the Amendments made in the Committee of e whole House to Heads of a Bill for amending an t *for Redress of certain Abuses in making Pewter and ass*, which were agreed to, and the said Heads order'd be transmitted into *Great Britain*. Then Mr. Chan-llor of the Exchequer reported the Address of Thanks his Majesty, for his most gracious Answer to the Ad-ess of the House; which was agreed to without any mendment, and order'd to be laid before the Lord Lieu-nant by the whole House. The same Day, the House sum'd the adjourn'd Consideration of a Clause *for ap-inting Weigh-Masters for the City of* Dublin, offer'd to be ded to Heads of a Bill, *for the further Amendment of the ws in Relation to Butter, Tallow, Beef, Hides, and other*

other Commodities in this Kingdom; as also in Relation to the Casks in which such Goods are to be made up; and for the preventing the Destruction of Salmon. Upon which it was previously order'd, that the Lord-Mayor, Sheriffs, Commons and Citizens of the City of *Dublin*, have Leave to withdraw their Petition, praying to be heard by their Counsel against the said Clause. Then the said Clause was read and agreed unto by the House with an Amendment, and the House afterwards resum'd the adjourned Consideration of the Report from the Committee of the whole House, to whom Heads of a Bill *for amending the several Laws now in Force, for encouraging the Hempen and Flaxen Manufactures in this Kingdom, and for the further Improvement thereof*, were committed. And the Amendments made by the Committee to the said Heads of a Bill, were read and agreed unto by the House with some further Amendments; and a Clause being offer'd to be added to the said Heads of a Bill, the same was also read and agreed unto by the House with an Amendment. Two other Clauses being severally offer'd to be added to the said Heads of a Bill, the same were also severally read and the Question being severally put, that the said Clauses do stand Part of the said Heads of a Bill, pass'd in the Negative; and then it was order'd, that Mr. *Maxwell* do attend his Grace the Lord Lieutenant with the said Heads of Bills, and desire the same may be transmitted into *Great Britain* in due Form. Then Mr. *St. John Broderick* reported from the Committee appointed to consider the Petition of *John Bingham*, Esq; the Resolutions the Committee had come to thereupon, *viz.*

That it is the Opinion of this Committee, 1st. That the Petitioner has fully prov'd the Allegations of his Petition.

2. That *John Bingham*, Esq; has behav'd himself with great Loyalty to his Majesty, and with becoming Zeal and Integrity in the Support of his Government, by vigorously putting the Laws in Execution against Papists and their Adherents.

3. That a malicious Conspiracy was wickedly contriv'd and carry'd on against the said *John Bingham*, to take away his Life and Fortune.

4. That *John Brown* of *Rahens*, Esq; and his Accomplices, were the chief Promoters, and Advisers of the said Conspiracy.

5. That

. That the ſaid *John Brown* is a Perſon not fit to ſerve Majeſty in any Office or Employment, Civil or Mi-ry, whatſoever.

. That the ſaid *John Brown* has in the Courſe of his mination, groſly prevaricated with this Commit-

To all which Reſolutions, the Queſtion being ſeve-ly put, the Houſe did agree *Nemine contradicente*, and reupon it was order'd, that the ſaid *John Brown* be, his ſaid Prevarication, taken into the Cuſtody of the jeant at Arms attending this Houſe; and that his Ma-y's Attorney-General do proſecute the ſaid *John wn* for contriving and maliciouſly carrying on the d Conſpiracy, to take away the Life of the ſaid *John gham*, and others.

The next Day, (*Nov.* 6.) the Commons, in a grand mmittee, went through Heads of a Bill, *for preventing eral Abuſes committed by Millers, Bakers, and Farmers.* en a Petition of *Richard* Lord Viſcount *Fitz. William*, ting forth, That he is affected by a Clauſe in Heads of Bill, now before this Houſe, *for explaining and amend-the Acts to prevent the Growth of Popery, and for the engthening the Proteſtant Intereſt of this Kingdom*; and aying this Houſe would take the ſame into Conſidera-n, was preſented to the Houſe, read, and referr'd to Committee of the whole Houſe. After this, Mr. *mas Meredith* reported from the Committee appoint-to conſider of proper Methods for the more eaſy ſing of Sheriffs Accounts, the Matter as it appear'd to em, and he read the Report in his Place, and after de-ver'd it in at the Table, together with ſeveral Papers ferr'd to in the Report, where the Report was again d. Hereupon it was reſolv'd, *Nem. con.* That the uing Proceſs againſt any Sheriff, upon any Fines im-s'd by the Court of Exchequer, in Actions there de-nding, between Party and Party, except at the In-nce of the Party, at whoſe Suit the ſame were im-s'd, is highly grievous and expenſive to the Subject. hen the Queſtion being propos'd, that the Rule or eclaration made by the Court of Exchequer in the ear 1716, that no Fine impos'd by the ſaid Court any Sheriff, ſhould be reduc'd for the future, un-ſs ſuch Sheriff or his Attorney, paid 6 *d. per* Pound to the Poor-Box for the firſt hundred Pounds, and d. *per* Pound for every other hundred Pounds of the d Fine, was obtain'd from the ſaid Court by Sur-

prize,

prize, and is a Grievance to the Subject. And the previous Question being put, That that Question be put,

It was resolv'd in the Affirmative. Then the main Question being put, was also carry'd in the Affirmative. Then a Question being propos'd and put, that the Order conceiv'd by the Court of Exchequer on the 21st of *April*, 1722, whereby the Officer was impower'd to issue Attachments against 338 Gentlemen who had serv'd as Sheriffs, for not clearing their several Accounts, would (if put in Execution) have tended greatly to the Prejudice of the Subjects of this Kingdom: It was carry'd in the Affirmative, and order'd, that the said Report with the Resolutions of the House thereupon, be printed; and that Heads of a Bill be brought in for a *more easy passing of Sheriffs Accounts.*

The next Day (*November* 7.) the Commons order'd an Account of the several Fees taken on passing Sheriffs Accounts; and also of the Fees taken on reducing of Fines, to be laid before their House.

On the 8th, the Commons in a grand Committee, went through Heads of a Bill, *for accepting the solemn Affirmation and Declaration of the People call'd Quakers, instead of an Oath in the usual Form*; and made some Progress in the Consideration of Heads of a Bill, *for explaining and amending the Acts to prevent the further Growth of Popery*, &c.

The next Day (*November* 9.) Mr. Chancellor of the Exchequer reported the Amendments made in the grand Committee, to the Quakers Bill, which, with the further Amendment, were agreed to, and the said Heads of a Bill, order'd to be laid before the Lord Lieutenant, to be transmitted into *Great Britain*; as were also Heads of a Bill, *for preventing several Abuses committed by Millers, Bakers, and Farmers.* That Day, in the Afternoon, the House with their Speaker attended the Lord Lieutenant with the Address of Thanks of this House to his Majesty, which Address is as follows.

To the King's most Excellent Majesty.

The humble Address of the Knights, Citizens, and Burgesses in Parliament assembled.

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects the Commons of *Ireland* in Parliament assembled, beg Leave in the most humble Manner, to return your Maje-

Majesty our unfeigned Thanks for your most gracious Answer to our Address.

And as your Majesty has been pleas'd in your great Goodness, always favourably to accept of such Instances as we have been able to give of our Zeal and Affection to your Majesty, and to assure us, that you will omit nothing that may contribute to the Maintenance of the Religion, Liberties, and Prosperity of your People; we do in the most humble Manner, renew our Assurances of our utmost Zeal for your Majesty's most Sacred Person and Government, which with the greatest Chearfulness and Unanimity, we will always endeavour to defend and maintain against traiterous Conspirators, and all other your Majesty's Enemies at Home or abroad.

And thereupon his Grace was pleas'd to return the Answer following.

I Will take Care, that this your dutiful Address be laid before his Majesty without any Loss of Time.

Which Answer being reported to the House on Monday the 11th of *November*, the same was order'd to be enter'd in the Journals of the House.

On the 12th of *November*, the Commons agreed to Amendments made to Heads of a Bill *for the Relief of Insolvent Debtors*; as also to Heads of another Bill for explaining and amending an Act *for the Preservation of the Inheritance, Rights, and Profits of Lands belonging to the Church, and Persons Ecclesiastical*; which Heads of Bills were order'd to be transmitted into *Great Britain*. Then several Accounts of Fees that had been call'd for, were laid before the House. Then in a grand Committee, they went through Heads of a Bill *for explaining and amending the Acts to prevent the Growth of Popery, and for strengthening the Protestant Interest of the Kingdom of* Ireland; and made several Amendments thereto.

On the 14th, Dr. *Trotter* reported from the Committee of the whole House, to whom Heads of a Bill, *for explaining and amending the Acts to prevent the Growth of Popery, and for strengthening the Protestant Interest of this Kingdom*, were committed, that they had gone through the same Paragraph by Paragraph, and agreed thereto with some Amendments, several of which were again read, and agreed to by the House. Then a Clause being offer'd to be added to the said Heads of a Bill,

the same was read; and the Question being put, that the said Clause do stand Part of the said Heads of a Bill, it pass'd in the Negative. The other Amendments to the said Heads of a Bill, were also read and agreed to by the House with some further Amendments. Several other Clauses being offer'd to be added to the said Heads of a Bill, the same were also severally read, and agreed to by the House, with some further Amendments. After which it was resolv'd, that Mr. Speaker with the House do attend his Grace the Lord Lieutenant with the said Heads of a Bill, and desire the same may be transmitted into *Great Britain* in due Form.

On the 15th, Mr. *Thomas Upton* reported from the Committee of the whole House, to whom Heads of a Bill *for continuing and amending several Statutes made in this Kingdom, heretofore temporary, and near expiring*, were committed, that they had gone through the same and agreed thereto with some Amendments, which he read in his Place, and deliver'd at the Table, where the same were again read, and agreed to by the House with some further Amendments. Several Clauses being offer'd to be added to the said Heads of a Bill, the same were severally read, and agreed to by the House with some Amendments; and then it was order'd, that Mr. *Thomas Upton* do attend his Grace the Lord Lieutenant with the said Heads of a Bill, and desire the same may be transmitted into *Great Britain* in due Form. It was also order'd, that the Committee appointed to inspect the publick Records of this Kingdom, and to see in what Order and Method they are kept, do sit, notwithstanding the Adjournment of the House. Mr. Secretary *Hopkins* reported from the Committee appointed to attend his Grace the Lord Lieutenant, to know his Pleasure when he would be attended by this House, with Heads of a Bill, *for explaining and amending the Act to prevent the Growth of Popery, and for strengthening the Protestant Interest of this Kingdom*; that his Grace was pleas'd to appoint this Afternoon, at half an Hour after Two a-Clock at the Castle. Mr. Secretary *Hopkins* also inform'd the House, that he was commanded by his Grace to acquaint the House, that it was his Grace's Pleasure that this House do adjourn itself to Thursday the 12th Day of *December* next. And the Question of Adjournment being put, it was resolv'd, that this House do adjourn itself to Thursday the 12th Day of *December* next.

The Parliament being met again, on Thursday the 12th of *December*, Mr. Speaker reported, that the

ouſe had attended his Grace the Lord Lieutenant ith the Heads of a Bill *for explaining and amending the ts to prevent the Growth of Popery*, &c. and deſir'd his ace to recommend the ſame in the moſt effectual Man- r to his Majeſty, that it might paſs into a Law; and t his Grace was pleas'd to return the Anſwer fol- wing.

Have ſo much at Heart a Matter which I recom- mended to the Conſideration of Parliament at the eginning of this Seſſion, that the Houſe of Commons ay depend upon a due Regard, on my Part, to what s deſir'd.

Hereupon it was order'd, That his Grace the Lord eutenant's Anſwer be enter'd in the Journal of this uſe. Then Mr. Secretary *Hopkins* inform'd the Houſe, t he was commanded by the Lord Lieutenant to ac- int the Houſe, that his Majeſty had been pleas'd to urn a moſt gracious Anſwer to the Addreſs of this uſe, touching the Coinage of Copper Half-pence and things, which he read in his Place, and after deli- 'd at the Table, and the ſame was again read by Mr, aker, and is as followeth.

George R.

HIS Majeſty is very much concern'd to ſee, that his granting the Patent for coining Half-pence and rthings, agreeable to the Practice of his Royal Pre- ceſſors, has given ſo much Uneaſineſs to the Houſe Commons; and if there have been any Abuſes com- itted by the Patentee, his Majeſty will give the ne- ſſary Orders for enquiring into, and puniſhing thoſe buſes, and will do every thing that is in his Power r the Satisfaction of his People.

t was thereupon order'd, That his Majeſty's moſt cious Anſwer be enter'd in the Journal of this Houſe; resolv'd, that an humble Addreſs be preſented to Majeſty, returning him our ſincere Thanks for his t gracious Anſwer to the Addreſs of this Houſe, reſſing our entire Dependance on his Majeſty's Royal rance, *That he will do every thing in his Power for the ſfaction of his People*; and our Reliance on his Ma- 's Goodneſs, that he will take the moſt effectual ſures for preventing the Currency of the Half-pence

and Farthings, coin'd by Vertue of the Patent gra to *William Wood*; which, if allow'd to circulate, will highly detrimental to his Majesty's Revenue, and utte impoverish his most dutiful Subjects of this Kingdo and humbly to beseech his Majesty, that he will be p ciously pleas'd to give Directions to the several Offi concern'd in the Receipt of his Majesty's Reve that they do not on any Pretence whatever, rece or utter any of the said Copper Half-pence or F things, in any Payments to be made to, or by them. A a Committee was appointed to draw up the said Addr

The next Day (*December* 13) a Bill entituled, *An for granting and continuing to his Majesty the additional ties on Beer, Ale, Strong Liquors, Tobacco, and other G and Merchandizes*, &c. was presented to the House, the first, and order'd to be read a second Time.

On the 17th, Mr. Chancellor of the Exchequer ported the Address of Thanks, which being agree without any Amendmets, the House with their Spea did (on the 19th) attend the Lord Lieutenant with same, being as follows:

To the King's most Excellent Majesty,
The humble Address of the Knights, Citizens, and gesses in Parliament assembled.

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Sub the Commons of *Ireland* in Parliament bled, humbly beg Leave to return your Majest sincere Thanks for your most gracious Answer to th dress of this House, in Relation to the Patent gr for coining Half-pence and Farthings, wherein Majesty has given us your Royal Assurance, *Th will do every thing in your Power for the Satisfac your People.*

This Instance of your Majesty's tender Care and cern for your Subjects of this Kingdom, engag with the deepest Sense of Gratitude, entirely to de and with the greatest Chearfulness rely on your Ma Goodness, that you will take the most effectual Me for preventing the Currency of those Half-pen Farthings.

As this is a Matter of universal Concern to the and Prosperity of this Nation, and that your Ma kind Intentions may not be obstructed by the Pa atte

tempting to import and utter the said Half-pence and Farthings, we are encourag'd by the many Favours we have constantly receiv'd during the whole Course of your auspicious Reign, most humbly to beseech your Majesty, that you will be graciously pleas'd to give Directions to the several Officers entrusted in the Receipt of your Majesty's Revenue, that they do not on any Pretence whatever, receive or utter such Half-pence and Farthings, as the most effectual Means to prevent their Currency, and satisfy the Minds of your People.

This we think ourselves indispensably oblig'd in the most humble Manner, to beg of your Majesty, since it is the unanimous Sense of your People, that the Circulation of those Half-pence and Farthings would be highly detrimental to your Majesty's Revenue, and utterly impoverish your most dutiful Subjects of this Kingdom, who are truly sensible of the many Blessings they enjoy under your mild and glorious Reign, and who are ready upon all Occasions, with the greatest Chearfulness and Unanimity, to maintain, support, and defend your Majesty's Sacred Person and Government, and the Succession as established in your Royal House, at the utmost Hazard of their Lives and Fortunes.

And thereupon his Grace was pleas'd to return the Answer following:

I Will with all convenient Speed transmit this Address, in Order to be laid before his Majesty.

The next Day, (*Dec.* 20.) the Lords sent down a Message to the Commons, acquainting them, that they had agreed to the Bill, entituled, *An Act for granting and continuing to his Majesty several additional Duties on Beer, Ale, Strong Waters*, &c.

On the 23d of *December*, there arose a Debate in the House of Commons, about the Conduct of the Lord Viscount *Middleton*; but it was by a great Majority, resolv'd, That the Right Honourable *Alan* Lord Viscount *Middleton*, Lord High Chancellor of *Ireland*, in the several Stations in which he has been employ'd, has behav'd himself with the utmost Zeal and Affection to his Majesty's Person and Government, and to the Protestant Succession in his Royal House; with the greatest Regard to the Properties and Welfare of his Fellow-Subjects, and for his faithful

faithful and eminent Services to his Majesty and this Country, is a Person highly meriting his Majesty's Favour. And then it was order'd, that such Members of this House, as are of his Majesty's most Honourable Privy-Council, do attend his Grace the Lord Lieutenant with the said Resolution, and desire the same may be laid before his Majesty as the Resolution of this House. To which his Grace was pleas'd to return the following Answer:

THAT according to the Desire of the Commons, he would lay their Resolution before his Majesty.

The next Day, the Lord Lieutenant went to the House of Peers with the usual State and Solemnity, and the Commons being sent for up, and attending, their Speaker, upon presenting the Money-Bill, made the following Speech:

May it please your Grace,

THE Commons, with an Unanimity agreeable to the just Sense they have of the great Felicity they enjoy under his Majesty's Reign, have granted the largest Supply the present Circumstances of the Nation could bear, for the Support of his Majesty's Government, and for the Payment of the Debt formerly contracted by the Publick.

Though they have prepar'd many Bills this Session, which they think of great Importance and Advantage to the Kingdom, and particularly that against Popery, so seasonably recommended by your Grace, yet they would on no Account defer the supplying his Majesty until the Return of those Bills from *Great Britain*. Such is the Effect of that Confidence, they find by Experience they may justly repose in your Grace.

The many convincing Proofs of his Majesty's paternal Care and Tenderness, but particularly his most gracious Answer to the Address of the Commons, relating to the Coining of Copper Half-pence and Farthings, *That he will do every thing in his Power for the Satisfaction of his People*, cannot fail to attract the Hearts of his faithful Subjects of *Ireland*, and excite them to greater Degrees (if possible) of Zeal for his Majesty's Service and Interest.

The kind Part your Grace has taken in this Transaction, and in every thing in which the Interest of this Natio

ation is concern'd, gives the Commons just Ground to pe they shall be soon freed from the Apprehensions ey lay under from the late Coinage, and that your race will represent them to his Majesty as dutiful and yal Subjects.

To return Thanks to your Grace for any particular stances of your Goodness to this Nation, would but im-rfectly express the Sense of the Commons, since the hole Series of your Administration has evidently tend-to promote the common Interest of his Majesty, and his faithful Subjects of *Ireland*. It is this that has nder'd you dear to us all; and it is for this that the me of the Duke of *Grafton* will be ever mention'd th Honour by the Protestants of *Ireland*.

May it please your Grace,

The Bill prepar'd by the Commons for granting a pply to his Majesty, is intituled, *An Act for granting d continuing the additional Duties on Beer*, &c. which ey humbly present to your Grace for the Royal As-nt.

The Lord Lieutenant having given the Royal Assent that Bill, both Houses adjourn'd to Tuesday the 7th y of *January* next.

The Commons being met again on that Day, Mr. Se-tary *Hopkins* inform'd the House, that he was com-nded by his Grace the Lord Lieutenant to acquaint the use, that it was his Grace's Pleasure, that they should ourn themselves to the Friday following, the Bills nsmitted into *Great Britain* not being yet return'd: ereupon, the Question for adjourning being put, was ried in the Affirmative.

The Commons being that Day met again, unanimously olv'd to present an humble Address to his Majesty, to gratulate his Majesty on his happy Return to *Great tain*; and having appointed a Committee to draw up said Address, the Bill *for accepting the solemn Affirma-or Declaration of People call'd Quakers*, &c. was read first, and order'd to be read a second Time. After it was resolv'd to address the Lord Lieutenant for pies of the several Bills transmitted into *Great Bri-*, this Session of Parliament.

The next Day, (*Jan.* 11.) Major-General *Wynne* re-ted the congratulatory Address to his Majesty; which, h an Amendment, was agreed to, and order'd to be pre-

presented to the Lord Lieutenant by the whole Ho
Then Mr. Secretary *Hopkins* reported to the House, t
their Address for laying before this House, Copies of
several Bills transmitted into *Great Britain* this Se
of Parliament, had been presented to his Grace the L
Lieutenant, and that his Grace had given Directions acc
dingly, upon which it was order'd, that the Commi
appointed to examine what Alterations have been m
in the Heads of Bills sent from this House, this S
sion of Parliament, and where the same have been
made, be enlarg'd: And the same was enlarg'd acco
dingly.

By this Time, the House of Lords had prese
their congratulatory Address to his Majesty; wh
together with that of the Commons, were transm
ted to *Great Britain* by his Grace the Duke of *Grafto*
are as follow:

To the King's most Excellent Majesty,
The humble Address of the Lords Spiritual and Te
poral in Parliament assembled.

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subj
the Lords Spiritual and Temporal in Parliam
assembled, do with the sincerest Joy congratulate y
Majesty upon your safe and happy Return to these y
Dominions.

When we reflect on the many and signal Preservati
of your Sacred Person from the Conspiracies of wic
Men at Home, and from the Dangers which att
your Majesty as often as the Repose of *Europe* and
Security of the Protestant Interest call you Abroad;
cannot but ascribe these Blessings to a singular Provide
that watches over a Life so precious to your Subje
and of such Importance to the common Good of M
kind.

We cannot find Words sufficient to express the gr
ful Sentiments of our Hearts for the many Blessing
enjoy under your most auspicious Reign, and at
Time particularly for the Continuance of that e
Tranquillity in these your Kingdoms, which, by y
Majesty's Wisdom, was, before your Departure, so
pily establish'd: All we can do, is to beseech your
jesty to accept our sincerest Acknowledgments, a

for up our constant Prayers to Almighty God, that our Majesty may long reign over us, and see the Fruits of your great and glorious Designs in the flourishing Estate of your own Dominions, and the lasting Peace of all *Europe*.

To the King's most Excellent Majesty,
The humble Address of the Knights, Citizens, and Burgesses in Parliament assembled.

May it please your Majesty,

WE your Majesty's most dutiful and loyal Subjects the Commons of *Ireland* in Parliament assembled, most humbly beg Leave to congratulate your Majesty on your safe Return to *Great Britain*.

On this happy Occasion, we cannot but reflect with unspeakable Comfort, on the many Blessings we and all your Majesty's Subjects have enjoy'd during the whole course of your most auspicious Reign.

Your Majesty's tender Concern and unwearied Endeavours both at Home and abroad, for our Welfare, the Wisdom of your Councils, and your watchful Eye for our Security, have preserv'd us in Peace and Safety; and your making the known Laws of the Land the constant Rule of your Government, both in Church and State, shews you are indeed the Father of your People, and that you look upon their Hapiness, as your greatest Glory.

These are Blessings, most Gracious Sovereign, which fill the Hearts of your faithful Commons with the repeat Sense of Gratitude, and with the most ardent Zeal for the Preservation, Honour, and Safety of your Majesty's Sacred Person and Government, and the Succession as by Law establish'd in your Royal House; in Defence of which, we shall be at all Times ready with the greatest Chearfulness to venture our Lives, and all that is dear to us, and are firmly determin'd to behave ourselves on every Occasion, with all Duty and Obedience, becoming the most loyal Subjects to the best of Princes.

The Parliament of *Ireland* having pas'd such Bills as were return'd from *Great Britain*, the Lords presented the following Address to the Lord Lieutenant.

To his Grace, *Charles* Duke of *Grafton*, Lord Lieutenant General and General Governor of *Ireland*,

The humble Address of the Lords Spiritual and Temporal in Parliament assembled.

May it please your Grace,

WE the Lords Spiritual and Temporal in Parliament assembled, beg Leave to return your Grace our hearty Thanks for the many and repeated Instances you have been pleas'd to give us of your Care and Endeavours for the Welfare and Prosperity of this Kingdom.

And we do assure your Grace, that as we are sensible of the Advantages that this Country has receiv'd from your Representations of our Duty and Zeal for his Majesty and his Royal House; so we cannot but think ourselves safe and happy under the Government of a Lord Lieutenant, who has no View but that of his Majesty's Service, inseparably united to the Interest of his Subjects.

We have had such constant Experience of your Grace's just and mild Administration, (of which we shall ever retain a grateful Sense) that we shall always esteem it a peculiar Happiness, whilst it shall please his Majesty to continue your Grace our Chief Governor.

The Commons, on the other Hand, complimented the Lord Lieutenant in the following Manner:

To his Grace *Charles* Duke of *Grafton*, Lord Lieutenant General, and General Governor of *Ireland*,

The humble Address of the Knights, Citizens, and Burgesses in Parliament assembled.

May it please your Grace,

WE his Majesty's most dutiful and loyal Subjects the Commons of *Ireland* in Parliament assembled, beg Leave to return your Grace our most sincere Thanks for your just and prudent Administration, and constant Care of the Welfare and Prosperity of this Nation, during the whole Course of your Government.

We are perswaded from our Experience of your Grace's Candour and Conduct, that you will always represent the State of this Kingdom to his Majesty, in such a Manner as may be most for the Advantage of the Publick, and convince his Majesty of the Duty and Affection of his

Protest-

Protestant Subjects of *Ireland*; and we assure your Grace, with a just Sense of Gratitude, that we can never think ourselves more happy, than under the Influence of your Government.

To which Address his Grace was pleas'd to return the Answer following:

I cannot better express the great Satisfaction I receive from what is contain'd in this kind Address of the House of Commons, than by continuing to use my constant Endeavours to promote the Happiness of this Kingdom, upon which you may entirely depend.

On the 10th of *February*, the Lord Lieutenant went to the House of Peers with the usual State and Solemnity, and the Commons being sent for up, and attending, his Grace gave the Royal Assent to twenty-one publick and private Bills; and then made the following Speech to both Houses.

My Lords and Gentlemen,

THERE now remaining no Business before you unfinished, it must be a Satisfaction to us all, that we are come to a Conclusion of a Session, which has been carry'd into an unusual Length, occasion'd partly by some Delay in bringing in such Bills (before it was far advanc'd) as were thought proper for the Consideration of Parliament. As your private Affairs will probably, after so long an Attendance, call you into your respective Countries, I must earnestly recommend to you, in your several Stations, the Care and Preservation of the publick Peace: This desirable End, will, in my Opinion, be greatly promoted by a vigorous Execution of the Laws against Popish Priests, to the Neglect of which, I must tell you, is imputed in a great Measure, the Encrease of their Numbers: I shall contribute my Part towards the Prevention of this growing Evil, by giving proper Directions, that henceforward such Persons only be put into the Commission of the Peace, who have distinguish'd themselves by their Fidelity to his Majesty, and by their steady Adherence to the Protestant Interest.

I am by the King's Command to thank you, *Gentlemen of the House of Commons*, for the ample Supplies which you have given this Session, and to assure you of his

Majesty's gracious Acceptance of them; all due Care shall be taken, that the utmost Frugality be observ'd in the Application of the publick Money. As nothing can render the Aids you have granted more effectual for strengthning the Hands of the Government, and securing the Tranquillity of this Nation, than a perfect Union among Protestants; I am satisfy'd, from your known Loyalty to the King, and your Love of your Country, that you will procure and cultivate so great a Blessing; and the same Principles must induce you to discountenance the restless Endeavours of any who may attempt to sow Jealousies or raise groundless Apprehensions in the Minds of his Majesty's Subjects.

My Lords and Gentlemen,

It is with great Pleasure that I perswade myself from your respective Addresses to me, that the Administration in my Hands, has been to your Satisfaction: I must in Return, assure you, that I shall make a faithful Representation to the King, of the Affections and Behaviour of his dutiful Subjects of *Ireland*: I will not fail to lay before his Majesty the true State of this Country, and shall upon all Occasions recommend it to his Royal Grace and Favour.

Then the Parliament was prorogu'd to the Seventh of *March* following.

Having in the foregoing Account of the Proceedings of the *Irish* Parliament, taken Notice of their Resolutions and Addresses relating to the Patent granted to *William Wood*, Esq; *for the coining and uttering Copper Half-pence and Farthings in that Kingdom*, it will be proper to subjoin here the following Report of the Committee of the Lords of his Majesty's most Honourable Privy-Council, to whom that Affair was referr'd.

ort of the Lords of the Committee of the Privy-Council, elating to the Patent granted to William Wood, *Esq; r the coining and uttering Copper Half-pence and Farthings n the Kingdom of* Ireland.

the Council-Chamber at *Whitehall*, the 24th Day of *July*, 1724.

a Committee of the Lords of his Majesty's most Honourable Privy-Council.

N Obedience to your Majesty's Order of Reference, upon the several Resolutions and Addresses of both uses of Parliament of *Ireland*, during their late Sess-, the late Address of your Majesty's Justices, and vy-Council of that Kingdom, and the Petitions of County and City of *Dublin*, concerning a Patent nted by your Majesty to *William Wood*, Esq; for the ning and uttering Copper Half-pence and Farthings in Kingdom of *Ireland*, to such Persons as would vo-tarily accept the same; and upon the Petition of the *William Wood*, concerning the same Coinage, the ls of the Committee have taken into their Conside-on the said Patent, Addresses, Petitions, and all Mat-and Papers relating thereto, and have heard and ex-in'd all such Persons as upon due and sufficient Notice, e desirous and willing to be heard upon the Subject tter under their Consideration, and have agreed upon following Report, containing a true State of the ole Matter, as it appear'd before them, with their nble Opinion, to be laid before your Majesty for your al Consideration and Determination, upon a Mat-of such Importance.

The several Addresses to your Majesty, from your jects of *Ireland* contain in general Terms, the strongest resentations of the great Apprehensions they were er, from the importing and uttering Copper Half-ce and Farthings in *Ireland*, by Virtue of the Patent nted to Mr. *Wood*, which they conceiv'd would prove bly prejudicial to your Majesty's Revenue, destructive the Trade and Commerce of the Kingdom, and of gerous Consequence to the Properties of the Subject. y represent, that the Patent had been obtain'd in a destine and unprecedented Manner, and by notorious representations of the State of *Ireland*; that if the

Terms

Terms of the Patent had been comply'd with, this C nage would have been of infinite Loss to the King but that the Patentee, under Colour of the Powers g ed to him, had imported and endeavour'd to utter Quantities of different Impressions, and of less We than requir'd by the Patent, and had been guilty of torious Frauds and Deceit in coining the said C Money: And they humbly beseech your Majesty, you would give such Directions, as in your great dom you should think proper, to prevent the fatal E of uttering any Half-pence or Farthings by Virtu the said Patent: And the House of Commons of *Ire* in a second Address upon this Subject, pray, that Majesty would be pleas'd to give Directions to the ral Officers intrusted in the Receipt of your Maj Revenue, that they do not, on any Pretence whatsoe receive or utter any of the said Copper Half-pence Farthings.

In Answer to the Addresses of the Houses of Pa ment of *Ireland*, your Majesty was most graciously pl to assure them, 'That if any Abuses had been comm 'by the Patentee, You would give the necessary Or 'for enquiring into, and punishing those Abuses; 'that your Majesty would do every thing that w 'your Power, for the Satisfaction of your People.

In Pursuance of this your Majesty's most gracious claration, Your Majesty was pleas'd to take this M into your Royal Consideration; and that you mig the better enabled effectually to answer the Expecta of your People of *Ireland*, your Majesty was pleas a Letter from Lord *Cartaret* one of your Principal cretaries of State, dated *March* 10, 1723-4, to ig your Pleasure to your Lord Lieutenant of *Ireland*, 'T 'he would give Directions for sending over such Pa 'and Witnesses as should be thought proper to suppor 'Objections made against the Patent, and against the 'tentee, in the Execution of the Powers given h 'the Patent.

Upon the Receipt of these your Majesty's Orders, Lord Lieutenant, by his Letter of the 20th of M 1723-4, represented the great Difficulty he found self under to comply with these your Majesty's Or and by another Letter of the 24th of *March*, 172 after consulting the principal Members of both Ho who were immediately in your Majesty's Service of the Privy-Council, acquainted your Majesty,

ge of them would take upon them to advise, how
ny material Persons or Papers might be sent over
this Occasion; but they all seem'd apprehensive of
e ill Temper any Miscarriage, in a Tryal upon a *Scire*
Facias, brought against the Patentee, might occasion
both Houses, if the Evidence were not laid as full
fore a Jury, as it was before them.' And did there-
, a second Time, decline sending over any Persons,
ers, or Materials whatsoever, to support this Charge
ght against your Majesty's Patent and the Paten-

s this Proceeding seem'd very extraordinary, that
Matter that had rais'd so great and universal a Cla-
r in *Ireland*, no one Person could be prevail'd upon
ome over from *Ireland*, in Support of the united
of both Houses of Parliament of *Ireland*; that no
ers, no Materials, no Evidence whatsoever of the
chiefs arising from this Patent, or of the notorious
ds and Deceit committed in the Execution of it,
d now be had, to give your Majesty Satisfaction
in; your Majesty however, 'desirous to give your
ple of *Ireland* all possible Satisfaction, but sensible
t you cannot in any Case, proceed against any of
meanest of your Subjects, but according to the
wn Rules and Maxims of Law and Justice,' repeat-
our Orders to your Lord Lieutenant of *Ireland*, that
ersuasion, and making proper Allowances for their
nces, new Endeavours might be us'd to procure and
over such Witnesses as should be thought material to
good the Charge against the Patent.

Answer to these Orders, the Lord Lieutenant of
d acquaints your Majesty, by his Letter of the
of *April*, 1724, to one of your Principal Secreta-
f State, 'That in order to obey your Majesty's Com-
nds as far as possibly he could, at a Meeting with my
d Chancellor, the Chief Judges, your Majesty's At-
ey and Solicitor-General, he had earnestly desir'd
ir Advice and Assistance, to enable him to send o-
such Witnesses as might be necessary to support
Charge against Mr. *Wood's* Patent, and the Execu-
of it: The Result of this Meeting was such, that
Lord Lieutenant could not reap the least Advantage
Assistance from it, every one being so guarded with
tion, against giving any Advice or Opinion in this
ter of State, apprehending great Danger to them-
s from meddling in it.

The

The Lords of the Committee think it very str that there should be such great Difficulty in prevail with Persons, who had already given their Evidence fore the Parliament of *Ireland*, to come over and g the same Evidence here, and especially, that the ch Difficulty should arise from a *general Apprehension* of *Miscarriage*, in an Enquiry before your Majesty, or in Proceeding by due Course of Law, in a Case, where b Houses of Parliament had declar'd themselves so fu convinc'd, and satisfy'd upon Evidence, and Exam tions taken in the most solemn Manner.

At the same Time that your Majesty sent your Or to the Lord Lientenant of *Ireland*, to send over s Evidences as were thought material to support Charge against the Patent, that your Majesty mi without any further Loss of Time than was absolu necessary, be as fully inform'd as was possible, that the Abuses and Frauds alledg'd to be committed the Patentee, in executing the Powers granted to h might be fully and strictly enquir'd into, and exami your Majesty was pleas'd to order, that an Assay sh be made of the Fineness, Value, and Weight of Copper-Money, and the Goodness thereof, compar'd the former Coinages of Copper-Money for *Ireland*, the Copper-Money coin'd in your Majesty's Mint *England*; and it was accordingly referr'd to Sir *Isaac N ton*, *Edward Southwell*, and *John Scrope*, Esqrs. to the said Assay and Tryal.

By the Reports made of this Assay, which are h unto annex'd, it appears, 'That the *Pix* of the Co 'Monies coin'd at *Bristol* by Mr. *Wood* for *Ireland*, 'taining the Tryal Pieces, which was seal'd and lo 'up at the Time of coining, was open'd at your M 'sty's Mint at the Tower; that the Controller's Acc of the Quantities of Half-pence and Farthings coi 'agreed with Mr. *Wood*'s Account, amounting to 59 T '3 Hundred, 1 Quarter, 11 Pounds, and 4 Ounces; 'by the Specimens of this Coinage, which had 'Time to Time been taken from the several Pa 'coin'd, and seal'd up in Papers, and put into the '60 Half-pence weigh'd 14 Ounces Troy, and 18 P 'Weight, which is about a Quarter of an Ounce a 'one Pound Weight Averdupois; and 30 Farth 'weigh'd 3 Ounces and 3 Quarters of an Ounce T 'and 46 Grains, which is also above the Weight req 'by the Patent. It also appears, that both Half-p

and Farthings, when heated red hot, spread thin under the Hammer, without cracking; that the Copper of which Mr. *Wood's* Coinage is made, is of the same Goodness and Value with the Copper of which the Copper Money is coin'd in your Majesty's Mint for *England*, and worth in the Market about 13 Pence *per* Pound Weight Averdupois; that a Pound of Copper wrought into Bars or Fillets, and made fit for Coinage, before brought into the Mint at the Tower of *London*, is worth 18 Pence *per* Pound, and always costs as much, and is coin'd into 23 Pence of Copper Money by Tale, for *England*: It likewise appears, that the Half-pence and Farthings coin'd by Mr. *Wood*, when compar'd with the Copper Money coin'd for *Ireland*, in the Reigns of King *Charles* II. King *James* II. and King *William* and Queen *Mary*, considerably exceeds them all in Weight, very far exceeds them all in Goodness, Fineness, and Value of the Copper, none of them bearing the Fire so well, not being maleable, wasting very much in the Fire, and great Part of them burning into a Cinder of little or no Value at all; Specimens of all which, as likewise of Mr. *Wood's* Copper Money, upon Tryals and Assays made by Sir *Isaac Newton*, Mr. *Southwell*, and Mr. *Scrope*, were laid before this Committee for their Information.

The Lords of the Committee beg Leave upon this Article of the Complaint, that notorious Frauds and Deceits had been committed by the Patentee, in executing the Powers granted to him, to observe to your Majesty, that this is a Fact expresly charg'd upon the Patentee; and if it had in any Manner been prov'd, it might have enabled your Majesty, by due Course of Law, to have given the Satisfaction to the People of *Ireland*, that has been so much insisted upon; but as it is now *above four Months* since your Majesty was pleas'd to send over to *Ireland* for such Evidence, as might prove a Fact alledg'd to be so notorious, and no Evidence at all has been as yet transmitted, nor the least Expectation given of any that may hereafter be obtain'd, and the Tryals and Assays that have been taken of the Half-pence and Farthings coin'd by Mr. *Wood*, proving so unquestionably the Weight, Goodness, and Fineness of the Copper Money coin'd, rather exceeding the Conditions of the Patent, than being any way defective, the Lords of the Committee cannot advise your Majesty, by a Writ of *Scire Facias*, or any other Manner, to endeavour vacating

ting the said Patent, when there is no Probability of Suc-
cess in such an Undertaking.

As these Tryals and Assays fully shew, that the Pa-
tentee hath acted fairly according to the Terms and Con-
ditions of his Patent, so they evidently prove, that the
Care and Caution made Use of in this Patent, by pro-
per Conditions, Checks and Controles, have effectually
provided, that the Copper Money coin'd for *Ireland* by
Virtue of this Patent, should far exceed the like Co-
nages for *Ireland*, in the Reigns of your Majesty's Roy-
Predecessors.

And that your Majesty's Royal Predecessors have ex-
ercis'd this undoubted Prerogative of granting to pri-
vate Persons the Power and Privilege of coining Cop-
per Half-pence and Farthings for the Kingdom of Ire-
land, was prov'd to this Committee by several Prece-
dents of such Patents granted to private Persons, by
King *Charles* II. and King *James* II. none of which were
equally beneficial to your Kingdom of *Ireland*, nor so
well guarded with proper Covenants and Conditions for
the due Execution of the Powers thereby granted, altho
the Power and Validity of those Patents, and a due
Compliance with them, was never in any one Instance
'till this Time, disputed or controverted.

By these former Patents, the sole Power of coining
Copper Money for *Ireland*, was granted to the Patentees
for the Term of 21 Years, to be coin'd in such Places
they should think convenient, and *such Quantities as they
could conveniently issue within the Term of* 21 *Years*, with-
out any Restriction of the Quantity to be coin'd within
the whole Term, or any Provision of a certain Quan-
ty only, to be coin'd annually, to prevent the ill Con-
quences of too great a Quantity to be pour'd in at once
at the Will and Pleasure of the Patentees; no Provi-
sion was made for the Goodness and Fineness of the Cop-
per, no Controller appointed to inspect the Copper in
Bars and Fillets before coin'd, and take constant Assays
of the Money when coin'd, and the Power of issuing not
limited *to such as would voluntarily accept the same*; but
by the Patent granted to *John Knox*, the Money coin'd by
Virtue of that Patent, *is made and declar'd to be the
current Coin of the Kingdom of* Ireland, and a Pound Weight
of Copper was allow'd to be coin'd into 2 *Shillings* and
8 *Pence*, and whatever Quantity should be coin'd, a Rent
of 16*l. per Annum* only was reserv'd to the Crown, and

o Tons of Copper were computed to be coin'd with-
the 21 Years, without any Complaint.

The Term granted to Mr. *Wood* for coining Copper
oney is for 14 Years only, the Quantity for the whole
erm limited to 360 Tons, 100 Ton only to be issu'd
ithin one Year, and 20 Tuns each Year for the 13 re-
aining Years; a Controller is appointed by Authority
the Crown, to inspect, controll, and assay the Copper,
well not coin'd as coin'd; the Copper to be fine *Bri-*
h Copper, cast into Bars or Fillets, which when heated
d hot, would spread thin under the Hammer; a Pound
eight of Copper to be coin'd into 2 *Shillings and Six-*
nce, and without any Compulsion or Currency enforc'd, to
receiv'd by such only, as would voluntarily and willingly
cept the same; a Rent of 100 *l. per Annum* is reserv'd un-
your Majesty, and 200 *l. per Annum* to your Majesty's
erk Controller, to be paid annually by the Patentee,
r the full Term of the 14 Years, which for 13 Years
hen 29 Tons of Copper only are coin'd, is not inconsi-
rable; these great and essential Differences in the se-
ral Patents that have been granted for coining Cop-
r Money for the Kingdom of *Ireland*, seem'd sufficient-
to justify the Care and Caution that was us'd in grant-
g the Letters Patent to Mr. *Wood*.

It has been further represented to your Majesty,
at these Letters Patent were obtain'd by Mr. *Wood* in
clandestine and unprecedented Manner, and by gross
isrepresentations of the State of the Kingdom of *Ire-*
nd. Upon enquiring into this Fact, it appears, that
e Petition of Mr. *Wood* for obtaining this Coinage,
as presented to your Majesty at the Time that seve-
l other Petitions and Applications were made to your
ajesty, for the same Purpose, by sundry Persons, well
quainted and conversant with the Affairs of *Ireland*,
tting forth the great Want of small Money, and Change
all the common and lower Parts of Traffick and Bu-
ness throughout the Kingdom; and the Terms of Mr.
ood's Petition seeming to your Majesty most reasona-
e, thereupon a Draught of a Warrant directing a
rant of such Coinage to be made to Mr. *Wood*, was
ferr'd to your Majesty's then Attorney and Solicitor-
eneral of *England*, to consider and report their Opi-
on to your Majesty; Sir *Isaac Newton*, as the Com-
ittee is inform'd, was consulted in all the Steps of
ttling and adjusting the Terms and Conditions of the
atent; and after mature Deliberation, your Majesty's

Warrant was sign'd, directing an Indenture in such Manner as is practis'd in your Majesty's Mint in the Tower of *London*, for the coining of Gold and Silver Monies, to pass the Seal of *Great Britain*, which was carry'd through all the usual Forms and Offices without Haste or Precipitation. That the Committee cannot discover the least Pretence to say, this Patent was pass'd or obtain'd in a clandestine or unprecedented Manner, unless it is to be understood, that your Majesty's granting a Liberty of coining Copper Money for Ireland, under the Great Seal of *Great Britain*, without referring the Consideration thereof to the principal Officers of *Ireland*, is the Grievance and Mischief complain'd of. Upon this Head, it must be admitted, that Letters Patent *under the Great Seal of* Great Britain *for coining Copper Money for* Ireland, are legal and obligatory, a just and reasonable Exercise of your Majesty's Royal Prerogative, and in no Manner derogatory or invasive of any Liberties or Privileges of your Subjects of *Ireland*. When any Matter or Thing is transacting that concerns or may effect your Kingdom of *Ireland*, if your Majesty has any Doubts concerning the same, or see just Cause for consulting your Officers of *Ireland*, your Majesty is frequently pleas'd to refer such Considerations to your chief Governors of *Ireland*; but the Lords of the Committee hope it will not be asserted, that any legal Orders or Resolutions of your Majesty can or ought to be call'd in Question or invalidated, because the Advice or Consent of your chief Governors of that Kingdom was not previously had upon them: The Precedents are many, where, in Cases of great Importance to Ireland, and that immediately affected the Interests of the Kingdom, Warrants, Orders, and Directions, by the Authority of your Majesty, and your Royal Predecessors have been issu'd under the Royal Sign Manual, without any previous Reference or Advice of your Officers of *Ireland*, which have always had their due Force, and have been punctually comply'd with and obey'd. And as it cannot be disputed, but this Patent might legally and properly pass under the Great Seal of *Great Britain*, so their Lordships cannot find any Precedents of References to the Officers of *Ireland*, of what pass'd under the Great Seal of *England*; on the contrary, there are Precedents of Patents pass'd under the Great Seal of *Ireland*, where, in all the previous Steps, the References were made to the Officers of *England*.

By the Misrepresentation of the State of *Ireland*, in order to obtain this Patent, it is presum'd, is meant, that the Information given to your Majesty of the great Want of small Money, to make small Payments, was groundless, and that there is no such Want of small Money. The Lords of the Committee enquir'd very particularly into this Article, and Mr. *Wood* produc'd several Witnesses, that directly asserted the great Want of small Money for Change, and the great Damage that Retailers, and Manufacturers suffer'd for Want of such Copper Money. Evidence was given, that considerable Manufacturers have been oblig'd to give Tallies, or Tokens in Cards, to their Workmen, for want of small Money, sign'd upon the Back, to be afterwards exchang'd for larger Money: That a Premium was often given to obtain small Money for necessary Occasions: Several Letters from *Ireland* to Correspondents in *England*, were read, complaining of the Want of Copper Money, and expressing the great Demand there was for this Money.

The great Want of small Money was further prov'd by the common Use of *Raps*; a counterfeit Coin, of such base Metal, that what passes for a Half-peny is not worth half a Farthing, which *Raps* appear'd to have obtain'd a Currency, out of Necessity, and for want of better small Money to make Change with; and by the best Accounts, the Lords of the Committee have Reason to believe, that there can be no Doubt, that there is a real Want of small Money in *Ireland*, which seems to be so far admitted on all Hands, that there does not appear to have been any Misrepresentation of the State of *Ireland* in this Respect.

In the second Address from the House of Commons to your Majesty, they most humbly beseech your Majesty, that you will be graciously pleas'd to give Directions to the several Officers intrusted with the Receipt of your Majesty's Revenue, that they do not, on any Pretence whatsoever, receive or utter such Half-pence or Farthings; and Mr. *Wood*, in his Petition to your Majesty, complains, that the Officers of your Majesty's Revenue had already given such Orders to all the inferiour Officers not to receive any of this Coin.

Your Majesty, by your Patent, under the Great Seal of *Great Britain*, 'Wills, requires, and commands your 'Lieutenant, Deputy, or other Chief Governor or Gover-'nors of your Kingdom of *Ireland*, and all *other Officers* '*and Ministers of your Majesty*, your Heirs and Successors,

'in

'in *England*, *Ireland*, or elsewhere, *to be aiding and assisting* 'to the *said* William Wood, his Executors, *&c.* in the 'Execution of all or any the Powers, Authorities, Di- 'rections, Matters, or Things to be executed by him 'or them, or for his or their Benefit and Advantage, by 'Virtue, and in Pursuance of the said Indentures, in all 'Things as becometh, *&c.*' And if the Officers of the Revenue have, upon their own Authority, given any Orders, Directions, Significations, or Intimations, to hinder or obstruct the receiving and uttering the Copper Money coin'd and imported, pursuant to your Majesty's Letters Patent, this cannot but be look'd upon as a very extraordinary Proceeding.

In another Paragraph of the Patent, your Majesty has covenanted and granted unto the said *William Wood*, his Executors, *&c.* 'That upon Performance of Covenants 'on his and their Parts, he and they shall peaceably and 'quietly, have, hold, and enjoy, all the Powers, Au- 'thorities, Privileges, Licences, Profits, Advantages, and 'all other Matters and Things thereby granted, without 'any *Let, Suit, Trouble, Molestation, or Denial of your Ma- 'jesty, your Heirs or Successors, or of or by any of your or 'their Officers or Ministers, or any Person or Persons, &c.*' This being so expressly granted and covenanted by your Majesty, and there appearing no Failure, Non-Performance, or Breach of Covenants, on the Part of the Patentee; the Lords of the Committee cannot advise your Majesty to give Directions to the Officers of the Revenue, not to receive or utter any of the said Copper Half-pence or Farthings, as has been desir'd.

Mr. *Wood* having been heard by his Counsel, produc'd his several Witnesses, all the Papers and Precedents, which he thought material, having been read, and consider'd; and having as he conceiv'd, fully vindicated both the Patent, and the Execution thereof, for his further Justification, and to clear himself from the Imputation of attempting to make to himself any unreasonable Profit or Advantage, and to enrich himself at the Expence of the Kingdom of *Ireland*, by endeavouring to impose upon them, and utter a greater Quantity of Copper Money, than the necessary Occasions of the People shall require, and can easily take off, deliver'd a Proposal in Writing, sign'd by himself, which is hereunto annex'd, and Mr. *Wood* having by the said Letters Patent, '*covenanted, granted, and promised, to and with your Majesty, your Heirs and Successors, that he shall and will*

from

m Time to Time in the making the said Copper Farthings d Half-pence in England, *and in transporting the same m Time to Time to* Ireland, *and in uttering, vending, dis- ing, and dispersing the same there, and in all his Doings d Accounts concerning the same, submit himself to the In- ction, Examination, Order, and Controle of your Majesty, d your Commissioners of the Treasury, or High Treasurer the Time being*; the Lords of the Committee are of inion, that your Majesty, upon this voluntary Offer, d Proposal of Mr. *Wood*, may give proper Orders and rections for the Execution and due Performance of ch Parts of the said Proposal, as shall be judg'd most the Interest and Accommodation of your Subjects of *land*: In the mean time it not appearing to their rdships, that Mr. *Wood* has done or committed any Act Deed, that may tend to invalidate, or make void his tters Patent, or to forfeit the Privileges and Advan- es thereby granted to him by your Majesty: It is but t and reasonable, that your Majesty should immediate- send Orders to your Commissioners of the Revenue, d all other your Officers in *Ireland*, to revoke all Or- s, Directions, Significations, or Intimations whatso- er, that may have been given by them, or any of em, to hinder or obstruct the receiving and uttering is Copper Money; and that the Half-pence and Far- ings already coin'd by Mr. *Wood*, amounting to about 000 *l.* and such farther Quantity as shall make up the d 17000 *l.* to 40000 *l. be suffer'd and permitted without Let, Suit, Trouble, Molestation, or Denial of any of your jesty's Officers or Ministers whatsoever, to pass, and be iv'd as current Money, by such as shall be willing to re- ve the same.* At the same Time, it may be adviseable your Majesty, to give the proper Orders, that Mr. d shall not coin, import into *Ireland*, utter or dispose any more Copper Half-pence and Farthings, than to Amount of 40000 *l.* according to his own Proposal, thout your Majesty's Licence or Authority, to be had that Purpose; and if your Majesty shall be pleas'd to er, that Mr. *Wood*'s Proposal deliver'd to the Lords of Committee, shall be transmitted to your Majesty's ief Governor, Deputies, or other your Ministers, or Offi- s in *Ireland*, it will give them a proper Opportunity consider, Whether, after the Reduction of 360 Tons of pper, being in Value 100,800 *l.* to 142 Tons, 17 Hun- d, 16 Pound, being in Value 40,000 *l.* only, any thing be done for the further Satisfaction of the People of *land*.

This

This Report having been laid before the King in Co-
cil, his Majesty was pleas'd thereupon to make the follo-
ing Order:

Whitehall, August 18.

A Report from the Lords of the Committee of his Ma-
jesty's most Honourable Privy Council, dated the
24th of last Month, relating to the Patent granted to Wi-
liam Wood, Esq; for coining Half-pence and Farthings f
his Majesty's Kingdom of *Ireland*, having been laid b
fore his Majesty in Council at *Kensington* the 6th Inst
his Majesty was pleas'd with the Advice of his Priv
Council, to approve thereof, and to order the Lords Co
missioners of his Treasury, to give proper Directio
that the said *William Wood* should not coin, import in
Ireland, utter, or dispose of any more Copper Half-pen
or Farthings, than to the Amount of 40,000 *l.* accordi
to his own Proposal, without his Majesty's special L
cence or Authority to be had for that Purpose. His M
jesty was also pleas'd to order, that one of his Princip
Secretaries of State should signify his Pleasure to t
Lord Lieutenant, or Lords Justices of his said Kingdo
of *Ireland*, immediately to order his Majesty's Commi
sioners of the Revenue, and all other his Officers in I
land, that in Case they, or any of them, have given a
Orders, Directions, Significations, or Intimations wh
soever, to hinder or obstruct the receiving and utteri
this Copper Money, they do revoke the same; and th
the Half-pence and Farthings already coin'd by Mr. Wo
amounting to about 17000 *l.* and such further Quanti
as shall make up the said 17000 *l.* to 40,000 *l.* be suffe
and permitted, pursuant to the Terms of the Patent, wi
out any Lett, Suit, Trouble, Molestation, or Denial
any of his Majesty's Officers and Ministers whatsoev
to pass, and be receiv'd as current Money, by such
are willing to receive the same. And his Majesty w
further pleas'd to order, that one of his Principal Sec
taries of State should transmit a Copy of Mr. *Wood*'s Pr
posal aforementioned, to his Majesty's Lord Lieutenant,
Lords Justices of *Ireland*, that they might have an O
portunity to consider, Whether after the Reduction
360 Tons of Copper, being in Value 100,800 *l.* to t
Tons, 17 Hundred, 16 Pound Weight, being in Val
40,000 *l.* only, any thing can be done for the further S
tisfaction of the People of *Ireland*.

Whereupon one of his Majesty's Principal Secretar
of State hath signify'd his Majesty's Pleasure to the L
Lieuten

utenant of *Ireland*, and also transmitted to him a Co- of Mr. *Wood*'s said Proposal; and the Lords Com- ssioners of his Majesty's Treasury have given the pro- r Directions pursuant to the said Order.

SPAIN.

HE last *Register* concluded with an Account of a surprizing Revolution in *Spain*, occasioned by the dication of *Philip* V. in Favour of his eldest Son the ince of *Asturias*, who ascended the Throne of *Spain* on e 16th of *January* last, by the Name of *Lewis* I. but 'd of the Small Pox at his Palace of *Buen-Retiro*, on the th of *August*, N. S. being just enter'd into the 18th ear of his Age.

Upon this King's Death, the Council of *Castille* met veral Times and agreed to represent to King *Philip*, hat by the strictest Ties of Justice and Conscience, he od obliged to resume the Crown and Government of e Kingdoms of *Spain*, as natural King and Proprietor of e *Spanish* Monarchy, to prevent the Government from lling under a Regency, as it must otherwise of Necessity , the Infante Don *Ferdinand*, who ought to succeed as rt Heir to his Brother the deceased King, being scarce ven Years of Age.

Upon these Representations of the Council of *Castille*, hich they laid before his Majesty by way of Peti- on, that Prince order'd six Divines to be consulted, ho gave him their Advice, that he ought to take the egency upon him during the Minority of the Infante on *Ferdinand*: The Pope's Nuncio also being admitted an Audience of his Majesty, assured him, the Pope uld entirely approve of his resuming the Crown. duced by these Reasons, King *Philip* sign'd on the 6th *September*, the following Declaration:

HAVE seriously considered every thing that the Council does represent to me in this Supplication, as ell as in the former, dated the 4th Instant, as the Result their Consultations in the present Emergency.

Altho' I was firmly determined never to leave my Re- rement, upon any Account whatsoever, yet willing to

condescend to the earnest Instances made to me by the Council in these two Supplications, to resume and take upon me the Charge of the Government of this Monarchy, as natural Sovereign and Proprietor; and yielding to their farther representing to me, that I am bound in Justice and Conscience to do it, I have resolved, out of the great Value and Esteem I have for the Advice of the Council, and in Consideration of the Zeal and constant Affection which is so conspicuous in the Members of it, to sacrifice myself to the general Welfare of this Monarchy, and of the People my Subjects; the more still, considering the Obligation which the Council finds I am under as their natural Prince and Sovereign; reserving however to myself to leave the Government of this Monarchy to the Prince my eldest Son, when he comes to due Age and Capacity; provided always, there be not at that Time too great Inconveniences that may hinder it. I agree likewise to the calling, as soon as possible, the *Cortes*, to recognize the Infante Don *Ferdinand* as Prince of *Spain*, and to make to him the accustomed Oaths, as Presumptive Heir of the Crown.

Accordingly King *Philip* was again proclaimed King of *Spain*, and the *Cortes* being assembled, recogniz'd the Infante *Don Ferdinand* for Prince of *Spain*.

On Occasion of the Death of King *Lewis*, we will give our Readers a View of the present Royal Family of *Spain*, viz.

PHILIP V. (who lately resign'd the Crown, and has now resum'd it) is the second Son of *Lewis* late Dauphin of *France*, and of *Mary-Anne* of *Bavaria*, was born December 19, N. S. 1683, and before he was called to the Throne of *Spain*, was stiled Duke of *Anjou*.

His first Wife was *Mary-Louisa-Gabriela*, Daughter of *Victor-Amedeus*, Duke of *Savoy*, now King of *Sardinia*, and of *Anne* Daughter of *Philip* Duke of *Orleans*, by the Princess *Henrietta*, Daughter to King *Charles* I. of *England*: She was born *Sept.* 17, 1688, marry'd *Nov.* 3, 170[illegible] and dy'd *Feb.* 14, 1714, leaving Issue,

1. *Lewis*, Prince of the *Asturias*, the late King of *Spain*, who was born at *Madrid*, *Aug.* 25, 1707, and marry'd *Nov.* 16, 1721, to Mademoiselle *de Montpensier*, Daughter to the late Duke of *Orleans*, born *Dec.* 21, 17[illegible]

2. Don *Philip*, Infante of *Spain*, born at *Madrid*, *June* 1712. Since dead. And

3. D

. Don *Ferdinand*, Infante of *Spain*, born at *Madrid*, . 23, 1713.

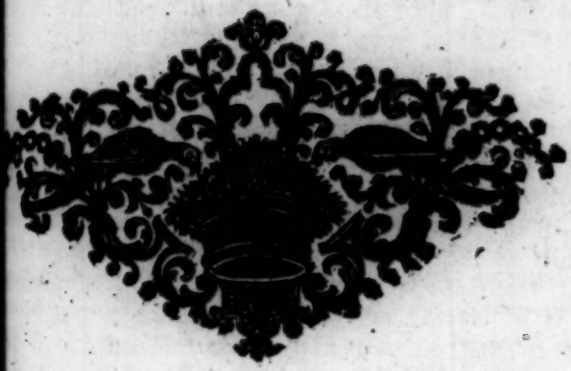
King *Philip*'s second Wife, his present Consort, was rry'd to him in the Year 1714. She is *Elizabeth*, on- Daughter of *Odoard Farnese*, Hereditary Prince of *Par-* and was born *Oct.* 25, 1692, and has had Issue,

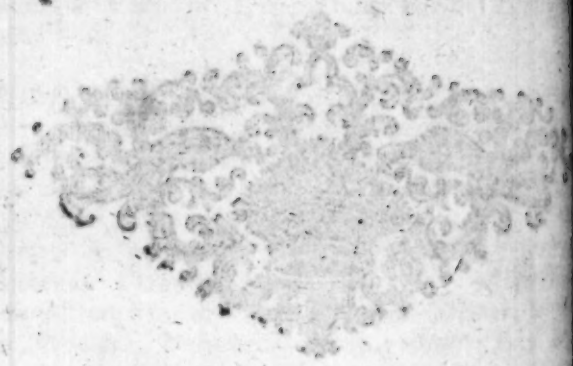
. Don *Carlos*, Infante of *Spain*, born *Jan.* 10, 1716, marry'd *Nov.* 26, 1722, to *Philippa-Elizabeth*, Made- iselle *de Beaujolois*, another Daughter of the late Duke *Orleans*. born *Dec.* 18, 1714.

. Don *Francisco*, Infante of *Spain*, born *March* 21, 7, and dy'd a Month after.

. ——— Infanta of *Spain*, born *March* 31, 1718, marry'd *Nov.* 25, 1721, to *Lewis* XV. the present g of *France*, who was born *Feb.* 15, 1710.

F I N I S.





THE
Historical Register.

NUMBER XXXVI.

FRANCE.

SEVERAL of the preceding *Registers* having been chiefly taken up with Domestick Occurrences, we shall now take Notice of the most remarkable Transactions that have happen'd in Foreign Countries; among hich may justly be reckon'd the following Declaration, ublish'd by the *French* King against his Protestant Subects, which was little expected, even in that Kingdom; d was a Matter of Surprize to many *Roman* Catholicks emselves; who having seen and felt the ill Conseences of the Revocation of the Edict of *Nantes*, hich forc'd so great a Number of People to abandon eir native Country, and to carry away with them eir Fortunes and Industry, to the unspeakable Prejudice of the Kingdom, could not behold without Anishment, the same violent Methods reviv'd, after ving been discontinu'd from the Death of the late ing *Lewis* XIV. and being perswaded that the like Seities would produce the like Effects, and force away e remaining Part of the Protestants, or at least the eatest Number of them; which they thought would evitably be highly prejudicial to the Kingdom, eccially after their having lost a prodigious Number of habitants, not only by the late bloody War, but likeset by the Famine with which their Country was ected for several Years, and last of all by the Plague, ich had lately swept away so great a Multitude of

People in the Southern Parts of *France*: But notwithstanding all those Considerations, the Government there thought fit to publish the following Declaration:

The King's Declaration concerning Religion. Given at Versailles, May 14, 1724.

LEWIS by the Grace of God, King of *France* and *Navarre*, to all those to whom these present Letters shall come, Greeting.

Of all the great Designs which the late King, our most Honoured Lord and Great Grandfather, did form during the Course of his Reign, there is none we have more at Heart to pursue and to see executed, than that he had conceived, utterly to extinguish all Heresy in his Kingdom, to which he apply'd himself with an indefatigable Care, to the last Moment of his Life. With a View to support a Work so worthy of his Zeal and Piety, we came no sooner to be of Age, but our first and chief Care was to have represented to us the Edicts, Declarations, and Arrets of the Council issu'd upon that Subject, in Order to renew the Dispositions made therein, and to enjoyn all our Officers to have them observ'd in the strictest Manner possible; but we have been inform'd, that for several Years past, there has been Remissness in the Execution thereof, especially in the Provinces that have been afflicted with the Plague, and in which there is a greater Number of our Subjects that formerly have made Profession of the pretended Reform'd Religion; and this, through the false and dangerous Impressions which some amongst them, who were not sincerely re-united to the Catholick, Apostolical, and *Roman* Religion, and being besides prompted by Instigations from abroad, have endeavour'd secretly to insinuate during our Minority: All which having induced us to give a new Attention to a Matter of so high Importance, we have found that the chief Abuses that have crept in, and which call for the speediest Remedy, relate principally to the unlawful Meetings, the Education of the Children, the Obligation under which are all those who have any publick Employment, to profess the Catholick, Apostolical, and *Roman* Religion, the Pains and Penalties against the Relapsed, and the Marriages: Upon which Heads, we have resolv'd to explain our Intentions in plain and express Terms. For which Reasons, the Advice of our Council, and out of our special Grace

full Power and Royal Authority, we have declared and ordained, and by these Presents, signed with our own Hand, do declare, ordain, will, and please,

Article I.

That the *Roman* Catholick and Apostolical Religion be the only one practised in this Kingdom, and all our other Dominions; forbidding all our Subjects, of what Condition or Quality soever they be, to perform any other Exercise of Religion than that of the Catholick Faith, and to meet for that Purpose in any Place under any Pretext whatsoever, upon Pain, if a Man, to be sent to the Gallies for Life, and if a Woman, to be shaved, and confin'd for ever to such Places as our Judges shall think fit, and to have both their Estates confiscated, and even upon Pain of Death, if they meet in Arms.

II.

Being inform'd, that many Preachers are risen and rise up daily in our Kingdom, who make it their only Business to excite the People to revolt, and divert them from the Duties of the *Roman* Catholick Religion; we ordain, That all Preachers that shall have held Meetings, preach'd therein, or done any Function, be punished with Death, according to the Declaration of the Month of *July*, 1686, against the Ministers of the pretended Reformed Religion; so that the said Pain of Death may not be deemed for the future only Commiatory. We likewise forbid all our Subjects to receive the abovesaid Ministers or Preachers, to harbour, aid and assist them, or to have any Communication directly or indirectly with them. And we enjoin those that shall know any thing of it, to give the proper Officer of that Place Notice of it: All this on Pain, in Case of Contravention, to be sent to the Gallies for Life, if a Man, and if a Woman, to be shaved, and confin'd during her Life to such Places as the Judges shall think fit, and have both their Estates confiscated.

III.

We ordain and command all our Subjects, and especially those that have formerly been of the pretended Reformed Religion, or which are born of such Parents, to have their Children christen'd in the Parish-Church where they live, within twenty-four Hours after they have been born; unless they have got a Licence of the Archbishop or Bishop of the Diocese to put off the Ceremonies of Baptism for weighty Reasons. We also en-

joyn the Midwives and other Persons that assist Wom in their Labour, to give Notice to the Curate of th Place where the Child is born; as also our Officers, an those of the Lords who have a Right of high Justice [*That is, to appoint in their respective Jurisdictions, Judg and other Officers to administer Justice,*] to see it strictly executed, and to fine the Transgressors, or to punis them more severely, according to the Nature of th Case.

IV.

As to the Education of the Children of Parents th formerly have been of the pretended Reformed Religio or that are born of Parents that have professed the sa our Will is, That the Edict of the Month of *Janua* 1686, and the Declarations of the 13th of *Decemb* 1698, and the 16th of *October*, 1700, be fully execu And moreover, by Way of Addition to the same, w forbid all our Subjects to send their Children out of th Kingdom to be educated, unless they have first obtai from us a Permission in Writing, sign'd by one of o Secretaries of State; which we will not grant 'till w have been fully satisfied that their Parents are good C tholicks: And this on Penalty, in Case of Contraventi of a Fine to be impos'd in Proportion to the Estate a Substance of the Parents; which Fine however, sh not be less than 6000 Livres, and shall be contin'd f as many Years as their Children shall stay abroad agai our Prohibitions; which we enjoyn our Judges to b strictly executed.

V.

Our Will is, That Schoolmasters and Mistresses be s up, if possible, in all the Parishes where there are no in Order to instruct all the Children of both Sexes the chief Mysteries and Duties of the *Roman* Catholi Religion, to carry them to Mass every working Day, it be possible, to give them the necessary Instructi upon that Subject, and to take Care that they go Church Sundays and Holidays; as also to teach them read, and even to write, if there be Occasion for latter: All this, according to the Direction of the Ar bishops and Bishops, pursuant to the twenty-fifth Arti of the Edict of 1695, concerning Ecclesiastical Juris ction: For which End, 'tis our Will, That in th Places, where there is no Fund for it, the Sum wh shall be wanted for establishing the said Masters and M tresses, shall be raised by the Inhabitants, not exceed

90 Livres for a Master, and 100 Livres for a Mistress; and that the Orders for that Purpose shall be issu'd *gratis*, upon Notice given us, by the Archbishops, Bishops, and Commissaries, established in our Provinces, for executing our Orders.

VI.

We enjoyn every Father and Mother, Tutors, and other Persons, to whose Care the Education of Children committed; and particularly of those Children whose Father or Mother has ever professed the pretended Reformed Religion, or which are born of Parents of that Religion, to send them to Schools, and to be catechised, till they are 14 Years old; even those that have passed that Age, are to be sent to the publick Instructions every Sunday and Holiday, 'till they come to the Age of 20, unless they be Persons of such Quality as are able and inclined to have them instructed at Home; or to send them to Colleges, or else put them into Monasteries, or regular Communities. And we enjoyn all Curates to have a watchful Eye over the Instruction of the said Children in their several Parishes, even with Respect to those that do not go to School. We exhort and enjoyn at the same time, the Archbishops and Bishops, carefully to inform themselves about it; and we command those Fathers and Masters, under whose Education those Children are; and in particular, those that are distinguish'd by Birth, or by their Employments, to present their Children they have at Home, whenever the Archbishops or Bishops shall call for them in the Course of their Visitation, to give them an Account of the Instructions they have had in Matters of Religion. And our Judges, Attornies, and those of the High Justiciaries, are charged to make all diligent Enquiry, and to give the necessary Orders for executing our Will in that Respect, and to fine those that shall be negligent in their Duty, or so bold, as in the least to contravene: Which Fines, notwithstanding any Appeal, are to be paid provisionally, how great soever they may be.

VII.

And for rendring the Execution of the preceding Article still more effectual, our Will is, That our Attornies, and those of the High Justiciaries, shall cause to be put into their Hands every Month, by the Curates, Vicars, Schoolmasters and Mistresses, or others entrusted therewith, an exact List of all the Children who shall not go to School, or to the publick Catechisings and Instructions,

tions, with an Account of their Names, Age, Sex, of the Names of their Parents, Tutors, and Guardi or others entrusted with their Education; and that th shall take Care to give an Account, at least every Months, to our Attornies-General, every one in the several Districts, of what Diligence they have used this Respect; to the End that they may receive the ne cessary Orders and Directions from them.

VIII.

And forasmuch as the Assistance of spiritual Gui is in no Time so necessary, especially to such of Subjects as have been lately reconciled to the Church as in Case of Sickness, which equally endangers b their Life and Salvation; our Will is, that the Phy cians, or if there be none, the Apothecaries and Surg ons that shall be called to visit the Sick, be obliged give Notice thereof to the Curates and Vicars of the Pa rishes wherein the Sick live, as soon as they shall th that their Illness is dangerous, if they find not th they have already been sent for, to the End that th said sick Persons, and particularly the new Convert may receive the Spiritual Advice and Consolation wh they may stand in Need of, together with the Benefit the Sacraments, whenever the Curates and Vicars fi find they are fit to receive them. We enjoyn likew the Parents, Servants, and all other Persons that shall about the said Sick, to give them free Access, and to ceive them with all the Respect and Deference due their Character: And we will, That such of the sa Physicians, Apothecaries, and Surgeons, as shall h neglected their Duty in this Respect, and likewise Parents, Servants, and others attending the Sick, w shall refuse to the said Curates and Vicars, or Pri sent by them, Access to the Sick, shall be fined acco ing to their Offence: And even that the Physicia Apothecaries, and Surgeons, shall be forbid the E ercise of their Professions upon the second Default. this according as the Case shall require.

IX.

We likewise enjoyn all Curates Vicars, and oth charged with the Cure of Souls, to be diligent in vi ing the Sick, of what Condition and Quality soever th be; and particularly those that have been of the prete ed Reformed Religion, or are born of such Parents, to hort them in private, and by themselves, to receive Sacraments of the Church, giving them for that P

e, all necessary Instructions, with all the Prudence d Charity becoming their Ministry; and in Case t of Contempt of their Salutary Exhortations and dvices, the said Sick do refuse to take the Sacraments offered to them, and declare afterwards publickly, t they will die in the pretended Reformed Religion, d persist in the Declaration made by them during their ckness; our Will is, That after they are recovered, our illiffs and Stewards shall prosecute them at the Re-est of our Attornies; in Pursuance of which they e to be banish'd for ever, and have their Estates con-cated; and in those Places where the Estates cannot confiscated, they shall pay a Fine which shall not be s than the Moiety of their Estates. If on the contrary, ey happen to die in such an unhappy Condition, we ain, That even their Memory shall be prosecuted by e said Bailiffs and Stewards, at the Request of our At-nies, in the Form as directed by the Articles of the enty-second Title of our Ordinance of the Month of gust, 1670, to the Effect that their Memory be con-mned, and their Estates confiscated, repealing hereby e other Penalties contain'd in the Declarations of the th of *April*, 1686, and the 8th of *March*, 1715; ich for the rest shall be put in Execution so far as they e not contrary to this Article. And in Case there be Royal Bailiwick in the Place, where such a Fact shall ve happen'd, our Provosts and Royal Judges, and if re be no such, the Judges of High Justiciaries ll take the Informations, and send to the Regi-r Office of our Bailiwicks and Stewartries, under hose Jurisdiction the said Judges are; or to those that e Cognizance of Royal Cases, within the Extent of e abovesaid High Justices, in Order to proceed and pro-nce Sentence against them, from which however, ey may appeal to our Courts of Parliament.

X.

Our Will is, That the Contents of the preceding Ar-le be executed without any other Proof of the Crime Relapse, than the sick Person's refusing to receive e Sacraments of the Church offered to him by the Cu-es, Vicars, and others entrusted with the Cure of uls, and his publick Declaration, as mentioned above, ll be a sufficient Proof, both of his Refusal, and of s publick Declaration, warranted by the Deposition the Curates, Vicars, and others that have the Cure of uls, and of those that have been present when he made the

the said Declaration. So that it will be needless f the Judges to go to the said sick Persons Houses, to d up a verbal Process of their Refusal and Declaratio neither shall the said Curates or Vicars that have visi the said sick Persons, be obliged to send for the said Offi to come, or inform them of the Refusal and Declarati made to them, reversing in this Respect, the Declaratio of the 29th of *April*, 1686; and the 8th of *March*, 17 so far as they are contrary to the present and preceding Articles.

XI.

And whereas we are inform'd, That what contribu most to confirm, or make the said sick Persons fall ag into their former Errors, is, the Presence and the hortations of some conceal'd Protestants, who fear assist them in the Condition they are then in, and t Advantage of the Principles they have been prepos sed with from their Infancy, and of the weak State t are reduc'd to by Sickness, to make them die out of t Bosom of the Church; we ordain, That our Bailiffs Stewards shall proceed in the Manner abovesaid ag those that shall be found guilty of this Crime; where our Provosts or Royal Judges may make Enquiries, likewise the Judges of the High Justiciaries, in Places where such a Thing shall happen, in Case t be not under a Bailiwick or Royal Stewartry; Condition however, to send their Informations to Royal Bailiwick, as above, in Order to be try'd and c demned, if guilty, by our Bailiffs and Stewards, The Men to the Gallies, either for Life, or for a lim Time, as the Judges shall think fit; and the Women shav'd, and confined to such Places as our Judges order, either for Life, or for a certain Time; which leave likewise to their prudent Discretion.

XII.

We ordain, That pursuant to the former Ordinan of the Kings, our Predecessors, and the Practice obser in our Kingdom, none of our Subjects shall be rece and employ'd in any Place of Judicature in our Co Bailiwicks, Stewartries, Provostships, and Judicato neither in those of the High Justices, nor in Place Mayors and Aldermen, and other Officers of Town-c ses, whether they come to it by Virtue of their Of or by Election, or otherwise, including even all Offic Registers, Attornies, Notaries, Serjeants and Bailiffs, what Jurisdiction soever they be; and in general, t

all be admitted into any publick Office or Function, ther by their own Right or Commission, even in the laces of our Houshold and our Royal Palaces, unless ey have a Certificate from the Curate, or in his Abnce, from the Vicar of the Parish in which they live, their good Life and Behaviour, and that they actual- follow and practise the *Roman* Catholick and Apostoal Religion.

XIII.

Our Will is likewise, That no Licences shall be anted in the Universities of our Kindom, to those at have studied in Law or in Physick, without such rtificates from the Curates, which they shall produce those that are to give them the said Licences: Which rtificates shall be mention'd in the Letters of Licence be drawn up and delivered to them, in Default of hich, they shall be void. This Regulation however all not extend to Foreigners that shall come to study d take the Degrees in the Universities of our Kingm, on Condition, that in Conformity of the Declaraon of the 26th of *February*, 1680, and the Edict of e Month of *March*, 1707, the Degrees they have thus tained, shall be of no Use to them in our Kingdom.

XIV.

The Physicians, Surgeons, Apothecaries, and Midives, as also the Booksellers and Printers, shall likewise t be permitted to practise and carry on their Trade any Place of our Kingdom, without producing such Certificate, which shall be mentioned in their Licen; as also in the Sentence given by the Judges, with espect to those that are to take the Oath before them, ithout which all shall be void.

XV.

Our Will is, That the Ordinances, Edicts, and Deations of the Kings our Predecessors, relating to arriages, and particularly the Edict of the Month of *rch*, 1697, and the Declaration of the 15th of *June* of e same Year, be executed in their full Extent by our bjects lately reconciled to the Catholick Faith, in e same Manner as they are by all our other Subjects; joyning them to observe in the Marriages they are lling to contract, the Solemnities prescribed by the non Law, received and observed in this Kingdom, as o by the aforesaid Ordinances, Edicts, and Declarans: All this upon the Penalties contain'd therein, and

even upon exemplary Punishment, as the Case shall require.

XVI.

The Children under Age, whose Parents, Tutors, or Guardians, are gone out of our Kingdom, and retired into foreign Countries, on Account of Religion, may lawfully contract Marriage, without asking and staying for the Consent of their said absent Parents, Tutors, or Guardians; on Condition however, to do it with the Consent and Advice of their Tutors and Guardians, if they have any in the Kingdom, and if not, others shall be named for that Purpose, as also with the Agreement of their Relations, if there be any, and if they have none, of their Friends and Neighbours. To which End, our Will is, That before they proceed to the Contract and the Celebration of their Marriage, there shall be called together before the Royal Judge of the Place of their Abode, in the Presence of our Attorney; or in Case there is no Royal Judge there, before the Ordinary Judge of that Place, and the Attorney Fiscal, six of the nearest Relations, as well on the Father's as the Mother's Side, and such as are good *Roman* Catholicks, besides the Tutor and Guardian of the said Minors; and for Want of Relations, six Friends or Neighbours equally qualify'd, to give their Advice and Consent, if there be Occasion; and the requisite Writings shall be made and delivered them *gratis*, and without paying the Fees for the Justice, Seal, Controll, Insinuations, or others: But in Case that only the Father or Mother of the said Minors be gone out of the said Kingdom, then it shall suffice to call together three of the nearest Relations to either of the Parents that has left the Kingdom; or for Want of them, three Neighbours or Friends, which, with the Father or the Mother, who shall be present, and the Tutor and Guardian, if there be any besides the Father or Mother, shall give their Advice and Consent, if there be Occasion, to the proposed Marriage; which Consent in all the Cases above specify'd shall be summarily mention'd in the Contract of Marriage, which is to be sign'd by the aforesaid Father or Mother, Tutor, or Guardian, Relations, Neighbours or Friends, as likewise in the Parish Books where they are to be marry'd; so that in all these Cases the said Children shall not incur the Punishments set forth in the Ordinances against Children of good Families that marry against their Parents Consent. To which Purpose, we

ve repealed and repeal only in this Regard the said rdinances, which for the rest shall remain in Force, d be fully executed.

XVII.

We forbid all our Subjects, of what Condition and uality soever, to consent or approve that their Chil- en, or those whose Tutors and Guardians they shall , marry in foreign Countries, either by signing the ntracts of the said Marriages, or by a foregoing or bsequent Deed, for what Cause, and under what Pre- t soever, without our special Permission in Writing, ned by one of our Secretaries of State, upon Pain of ing sent to the Gallies for Life, if a Man, and if a oman, to be banish'd for ever, and besides, to have th their Estates confiscated; and where Confiscation not take Place, to pay a Fine, which shall not be than the Half of their Estates.

XVIII.

Our Will is, That in all the Arrets and Judgments ich shall include Confiscation of those that shall have urred it, by Virtue of the different Dispositions of present Declaration, our Courts and our other Judges ain, That out of the Estates situated in Countries ere Confiscation does not take Place, or where their tes by their Nature, are not subject to Confiscation, that shall not be confiscated for our Behoof, a Fine l be levied, that shall not be less than the Half of said Estates; which Fine, as likewise the confiscated te, shall be put into the Hands of those that have Administration of the forfeited Estates of the absent testants, to be employ'd with the Revenue of the Estates for the Maintenance of our new Convert Sub- that shall want that Assistance; which shall like- be observ'd with Regard to all other Fines, of Nature soever they be, that shall be impos'd upon that contravene and act against this our Declara- so that the Receivers or Farmers of our Domains lay no Claim to the same.

hus we command all our beloved and trusty Coun- s in our Courts of Parliament, and all our other ers and Justices whom it may concern, to cause the nt Declaration to be read, published, and register'd, o have all the Contents thereof observed and execu- n every Point, according to their Form and Tenor. ven at *Versailles* the 14th of *May*, 1724, and of our eign the 9th. Sign'd *LEWIS*, and counterfign'd by

Order of the King, Dauphin, Count of *Provence*, *Phelypeaux*, and sealed with the Great Seal on yellow Wax.

Registred and read at the Requisition of the King's Attorney-General, to be executed in their full Form and Tenor, and Copies compared, to be sent to the Bailiwicks and Stewartries of the Ditricts of this Parliament, to be there likewise read, published, and registred, with Orders to the Deputies of the King's Attorney-General, to see it done and executed, and to certify the Court thereof within a Month, conform to the Arret of this Day. At *Paris*, in Parliament, *May* 31, 1724.

Sign'd, *Ysabeau*.

They began in *France* immediately to put in Execution this rigorous Edict, which gave great Uneasiness even to the foreign Protestants who travelled or traded in that Kingdom; whereupon Baron *Hop*, Embassador from the States General of the United Provinces, thought fit to demand some Explanation of the said Declaration, and presented the following Memorial concerning it to the Court of *France*.

The Memorial of M. Hop, *Embassador from the States General to the Court of* France, *in Favour of the foreign Protestants, with Respect to the King's Declaration of the* 14*th of* May.

THE King's Declaration of the 14th of *May* on the Head of Religion, gives foreign Protestants settled in *France*, the more Reason to be uneasy, because it contains no Exception as to them; so that they find themselves no longer able to continue their Commerce with the same Safety and Freedom as before; for the Declaration seems in Effect to plunge them in the same Circumstance which they were in after the Repeal of the Edict of *Nantes*. The late King explain'd his Intentions so clearly, by an Edict dated at *Fontainebleau* in *October*, 1685; that they then thought they could stay with Safety in the Kingdom, and were prepared to return to their own Countries, when it pleased His Majesty to give them fresh Encouragement to stay by an Arret of the 11th of *January*, 1686, permitting Merchants, and all other foreign Protestants to come into the Kingdom with their Wives and Children, [illegible]

icks, and others of their Country, together with their Goods and Merchandize, there to ſtay, paſs and repaſs to and from the Towns and other Places thereof, with the ſame Freedom as before; provided only, that they did not take along with them any of his Majeſty's Subjects, nor exerciſe their Religious Worſhip in the Kingdom. After this, came out another Arret of the 28th of June, 1686, which confirm'd the former, and amplified and extended the favourable Clauſes now mention'd. The chief Motive of theſe two Arrets was, to give an Opportunity to Strangers to continue their Commerce with all Manner of Freedom.

For, beſides that Commerce is the Fruit of Treaties, and the Band of Peace, it may be ſaid, That the Kingdom reaps almoſt all the Benefit of it; becauſe on one Hand, the King's Subjects ſhare the Profit of it with Foreigners, while the latter ſpend the greateſt Part of their Profits by their Stay in the Kingdom, and contribute no leſs than the Native Subjects to the Preſervation of its Plenty.

The ſame Motive ſubſiſts even to this Day, but the Arrets which were the Security of Strangers, are no longer in Force, they being as it were, tacitly repealed by the Declaration of the 14th of *May* laſt.

'Tis true, That they have Treaties in their Favour; but this is not ſufficient to eſtabliſh their Tranquility, becauſe the Conditions of ſuch Treaties being known only to a few of the Subjects, leave them expoſed to a World of Accidents that are unavoidable; for preventing of which, they moſt humbly beſeech his Majeſty, That he would pleaſe to explain his Intentions in ſuch a Manner, as may leave no Room to doubt of the Protection which he ſhall be inclined to grant them hereafter.

For this End, they deſire, That his Majeſty would be pleaſed, by ſome Declaration, confirming, as far as may be neceſſary, the Declarations and Arrets formerly paſs'd in their Favour, to permit again all Merchants and other foreign Proteſtants to come into the Kingdom, to reſide there, to paſs and repaſs with all Safety from one Place to another, with their Wives and Children, Domeſticks, and others of their own Nation, their Goods and Merchandize, and to depart the ſame with entire Freedom, together with ſuch of their Children as may happen to be born to them in *France*, during their Stay, who ſhall have the ſame Liberty to enjoy

joy the same Privileges as their Parents, on Condition only, that they do not exercise their Religious Worship any where in Publick, besides at the Houses of Embassadors, or Ministers of the Protestant Powers, in whose Chapels they shall be permitted to assist at Divine Service, as heretofore; as also to celebrate Marriages among themselves, and to baptize their own Children.

Foreign Protestants have the greater Reason to hope that his Majesty will grant them their Demands, because his Subjects enjoy the same Privileges with full Liberty in Protestant Countries, where the publick Exercise of their Religion is not authoriz'd by the Laws, and because the Privileges now desir'd, are no others than what he has been pleas'd to let them enjoy heretofore.

And this mutual Toleration is so necessary to Commerce, that it is its very Basis or Foundation, and without it 'tis morally impossible it should continue or prosper. For this Reason, the Protestant States, who above all Things recommend Liberty and Property in Commerce, have at all Times so religiously observed it, that there is no Instance where any Foreigner ever suffer'd the least Vexation, either in his Person or Effects, on Account of his Religion. Therefore the foreign Protestants have Reason to hope, that his Majesty will grant them the same Security and Protection in his Dominions.

The Inhabitants of *Alsatia* being in the utmost Consternation by Reason of the above Declaration, least it should be put in Execution against them likewise, who are but new Subjects of *France*, and whose Liberties are grounded on Treaties; whereas those of the antient Subjects have no other Foundation but the Good-Will of their Sovereign; the Court of *France* thought fit to remove the Uneasiness of the *Alsatians*; and the Count de *Morville*, Secretary of State, wrote the following Letter to the Marshall *Du Bourg*, Governor of that Province.

The Count de Morville's *Letter to the Marshal* Du Bourg, *in Relation to the Protestant Inhabitants of* Alsatia.

I HAVE sent by the King's Order, to the Magistrates of *Colmar*, the Declaration concerning the Protestants, in order to be registred and published there;

d I have since been inform'd, both by the first Presi-
nt and the Attorney-General of the said Town, that it
s been registred accordingly: But that the Subjects of
t Province, that are of the Confession of *Augsburgh*,
d who, by the Treaty of Peace, are allow'd the free Ex-
ise of their Religion, have been put thereby under the
eatest Consternation, by Reason that the said Declara-
n contains no Exception with Regard to them: I had
sooner represented this to the King, in Presence of
Duke of *Bourbon*, but his Majesty order'd me to let
u know, that his Intent was not to disturb them in
Exercise of their Religion, but to let them enjoy
same Liberty as they had before the said Declaration,
to maintain them in the Rights they enjoy, by Vir-
of the Treaties wherein they are comprehended.
this Reason, you are to notify this his Majesty's
yal Intention through all the Extent of your Govern-
nt, in order to quiet the Minds of those Protestants
have made themselves uneasy without just Ground,
to act in Concert with M. *de Harlay*, to whom I write
Day upon the same Subject.

I am, &c.

SCOTLAND.

AVING through the whole Course of these *Re-
gisters* given an Account of the annual Proceedings
he General Assembly of the Church of *Scotland*, we
k it convenient to pursue the same Method.

n the 14th of *May* the said Assembly met at *Edin-*
, and chose for their Moderator, Mr. *William Wishart*,
cipal of the University of that City. Then his
esty's Commission appointing the Earl of *Finlater* and
ld, his High Commissioner, was read, as was like-
his Majesty's most gracious Letter to the Assem-
; whereupon the High Commissioner made a Speech
e Assembly, which was answer'd on their Part by
Moderator; and a Committee was appointed to draw
n Answer to his Majesty's Letter; which Answer
g reported on the 16th, was unanimously approv'd.
said Speech and Answer are as follow:

His

His Majesty's High Commissioner the Earl of Finlater a Seafield's *Speech to the General Assembly of the Church* Scotland, May 14, 1724.

Right Reverend, and Right Honourable;

I AM convinced that you have with great Pleas and Gratitude heard his Majesty's most gracio Letter.

He expresses his Satisfaction in the prudent and m derate Proceedings of former Assemblies, he repose entire Trust and Confidence in your Loyalty and Fide to his Royal Person and Government, and has co manded me at the opening of this Assembly, agai renew the Assurances he has so frequently given of firm and steady Resolution to protect and maintain t Presbyterian Government of the Church of *Scotland*, established by Law.

His Majesty recommends, that you will take Care promote Religion and Piety; and that you will your Endeavours to prevent the Growth of Popery Immorality; and that you will in all Things that co before you, act with that Calmness and Moderati which is so necessary to preserve the Tranquility Peace of the Church, and most proper and becomi Christian Assembly: And I have no Doubt of your re Compliance with what his Majesty has recommended so pious and Religious a Manner.

We all ought to be most thankful to God, who plac'd his Majesty on the Throne, and by speci remarkable Acts of Providence, has preserv'd and tected his sacred Person and Government, against all Attempts that have been made by a Popish Prete and his Adherents; and has effectually defeated all t wicked Designs; and it is by his Majesty's Governm and the Establishment of the Succession in his Royal mily, that all our Religious and Civil Concerns ca continued and preserved against Popery and Arbit Power.

I am most sensible of the great Honour his Maj has conferr'd on me, in appointing me to represent Royal Person in this Assembly.

I am fully instructed to give you all Encourage in the Prosecution of what his Majesty has so gracio recommended, and in all other Things that may tend the Prosperity of the Church.

I

I shall endeavour, by the Assistance of God, to discharge this Trust with Fidelity to his Majesty, and all due Regard to this venerable Assembly; and shall now, and on all other Occasions, do what is in my Power to give you convincing Proofs of my sincere Attachment and good Inclinations to the Government of this Church.

It is my earnest Desire that all you do in this Assembly, may tend to the promoting of Religion, the Glory of God, the Peace and Prosperity of this Church, the entire Satisfaction of the King, and Good of his People.

The Answer of the General Assembly of the Church of Scotland, *to his Majesty's most gracious Letter.*

May it please your Majesty,

WE justly esteem it one of the many valuable Blessings which our most merciful God plentifully bestows upon this National Church, that your Majesty is graciously pleas'd on every returning Occasion so readily to countenance our Assemblies.

The Confidence your Majesty is pleased in your great Goodness to place in us, founded upon our Behaviour in former Assemblies, fills us with unspeakable Joy. We should do Injury to our holy Religion, act inconsistently with the Duty we owe to the best of Sovereighs, and be wanting to ourselves, if we did not unite with Zeal, and unanimously concur in such Means as shall be deemed most effectually to tend to the Peace and Welfare of the Church, suppress Irreligion and Profaneness, and prevent the Growth of Popery. We are at the same time perfectly assur'd, that nothing will ever be wanting on your Majesty's Part towards obtaining these desirable Ends, wherein the Honour of God, and the Well-being of your Majesty's Subjects, are so nearly concern'd.

The Earl of *Finlater* and *Seafield's* great Knowledge and Experience, the Zeal and Affection he has upon many important Occasions express'd for your Sacred Person and Government, as well as his Adherence to the Principles of the Church of *Scotland*, which have recommended him to your Majesty, render your Choice of him, to represent your Royal Person in this Assembly, most obliging and acceptable to us.

That the most High God, who so seasonably brought your Majesty to the Throne for the Support of the Pro-

 testant

testant Interest abroad, and the Preservation of the Religion and Liberties of your Dominions, may continue in the most remarkable Manner to preserve your sacred Person, guide your Councils, and defeat the restless Endeavours of your Enemies; that he may pour out his best Blessings on the Heads of their Royal Highnesses the Prince and Princess of *Wales*, and their Royal Issue, and perpetuate the Succession to the Crown in your Family; and that after a long and happy Reign upon Earth, you may be crown'd with immortal Glory in Heaven, are, and shall be the constant and fervent Prayers of,

May it please your Majesty,

Your Majesty's most faithful, most obedient,

And most loyal Subjects,

The Ministers and Elders, met in this National Assembly of the Church of Scotland.

Edinburgh, May 16, 1724.

Signed, in our Presence, in our Name, and at our Appointment, by

William Wishart, *Moderator.*

On the 25th of *May*, the Assembly being met, his Majesty's Commissioner intimated to the Assembly, he having receiv'd a Return from the Viscount *Townshend* Secretary of State, bearing his Majesty's gracious Acceptance of, and Satisfaction with the Assembly's dutiful and loyal Answer to his Majesty's Letter.

The Assembly having consider'd the Actings of the late Commission, gave them Thanks for their Prudence, Zeal, Diligence, and Faithfulness in the Affairs of the Church committed to them, with an Exception as to the Case of *Lochmaben*, and the Commission's Register was attested in the usual Form.

Upon Report of a Committee, the Assembly unanimously set aside the Calls of *Lochmaben* to Mr. *Carlyle* and Mr. *Bunckle*, and declar'd their Relations to the Parish void and null; appointed the Presbytery to moderate a new Call, that the free Choice of the Parish might more fully appear, and restored Mr. *Carlyle* to *Cummertrees*. but the Call to *Lochmaben* not to be moderated before the 2d of *August*. The Assembly found the Pr

Procedure of the Presbytery of *Lochmaben*, in planting that Parish, irregular and precipitant; and did admonish them to be more cautious for the future, and recommended to the Synod of *Drumfress*, to bury all the Differences among them in that Matter; and discharged the aforesaid Synod and Presbytery, to insert into their Books any Papers relating to this Affair, not already recorded, that all Memory for the aforesaid Differences may be utterly extinguished.

The Assembly granted a Recommendation for a voluntary Contribution, for helping to rebuild the Harbour of *Aberbrothwick*, lately demolished by a Storm. The General Assembly impower'd the Society for Christian Knowledge, and their Committee, to receive the Sum of 1200 *l.* Sterling, mortified by *John Raining*, Merchant in *Norwich*, for maintaining a School, and to do every thing in that Matter which the Assembly might do themselves, still observing inviolably the Will of the Mortifier, as express'd in his Testament, without any Alteration; and his Executors were order'd to get the Thanks of the Assembly for their Care in that Matter, and the School is to be called, *John Raining's School*.

May 26. Several Students having the *Irish* Language, were recommended to Synodical and Presbyterial Bursaries, and Synods and Presbyteries were order'd to lay a State of their Bursaries before the Assembly; and the Principals of Colleges, and Professors of Divinity in this Assembly, with the Commissioners from Prebyteries, where the *Irish* Language is spoke, were appointed as a Committee, to take up a List of Probationers and Students of Divinity and vacant Parishes, where Preaching uses to be in the *Irish* Language, and lay the same before the Commission, in order to the supplying of these Places. It was referred to the Commission, to consider what may be proper for Ministers and Church-Judicatories to do for maintaining of the Poor, and restraining vagrant Beggars, and it was recommended to Ministers, Kirk-Sessions, Presbyteries, and Synods, to use all due Means to get every Parish to maintain their own Poor, and to apply to Sheriffs, Justices of the Peace, and Commissioners of Supply, Heritors and Burghs, to put the Laws there anent to Execution.

Intimations were made anent bringing in Collections for a Bridge at *Lathnet*, and a new Erection at *Noristoun*, as formerly recommended. The Procurator and Agent for

the Church were appointed to carry on some Process for settling of Stipends. It was referr'd to the Commission to give the Presbytery of *Strathbogie* Assistance, with Respect to the Annexation of *Kinnore* and *Dumbennan*; and to concur in any Processes for settling Stipends and Salaries to School-masters in Parishes where Popery abounds, and to send Preachers to assist Ministers there. Synods in such Places, particularly in *Murray*, *Aberdeen*, *Argyle*, and *Glenelg*, are appointed to keep a Correspondence, and appoint Committees to visit the several Parishes infested with Popery, or where the Teachers of new Doctrine do haunt, and to assist the Ministers of these Parishes, and the Commission is appointed to concur therein: Also to consider, what may be done to prevent the employing of disaffected Persons as Governors of Youth, and Teachers of Schools; and to see what Method is fit to be taken to keep back Persons from being Members of the Judicatories of this Church, who are not of a fair Character, and do not punctually attend the Dispensation of Gospel-Ordinances, and neglect Family-Worship: As also, an Overture about their signing a Formule, was transmitted to Presbyteries. Application was appointed to be made to the Commander in Chief, against the Immorality of the Soldiery, and a Reference was made to the Commission thereanent.

May 27. The following Act against the Tumults in *Galloway*, was brought in and approven, *Nemine contradicente*, and order'd to be transmitted to the Presbyteries concern'd.

THE General Assembly taking into their serious Consideration the tumultuous unlawful Meetings convocated about *Kirkcudbright*, and their illegal Proceedings, in throwing down several Inclosures in those Bounds, pertaining unto others, contrary to the Word of God, and the Principles of our holy Religion, profess'd in this Church; tending to the Destruction of all Order and Government, and of Liberty and Property, and what may draw the Wrath of God upon them and their Families, as well as the Punishments of the Civil Law, to which they have so deeply expos'd themselves, as that the Consequences must utterly ruin them and their Families, unless by their speedy Repentance and Submission, the Government be prevail'd upon to forgive them, or alleviate their Punishments. Therefore the General Assembly

embly judge it their Duty, in the Fear of God, in Tenderness to the Welfare of these People, to rn all concern'd of the Sinfulness and Danger of ese Courses; and to exhort and obtest them, as they der the Glory of God, the Good of their precious ls, and of their Civil Interests, and the Peace of Country, that they speedily desist from such ill and unwarrantable Practices; as they would not have active Hand in dishonouring God, and bringing Ruin on themselves and their Families. And the Assem- recommends it to, and requires all Ministers near the Places where they are assembled; particularly the Bounds of the Synods of *Dumfries* and *Galloway*, the most serious Manner, from their Pulpits, to rn the People of the Sinfulness and Danger of h Actings, and to exhort and obtest them, as they e Regard to the Commands of God, the eternal vation of their Souls, as well as the Safety of their dies and Families, that they desist from such Practices Time coming, and live quietly and orderly, in Sub- sion to the Laws of the Land, and to their Rulers, o are the Ordinance of God, and particularly in yalty and Obedience to our Protestant Sovereign ng *George*. The Assembly likewise recommends it all the Ministers in these Bounds, in their Sermons, ayers, or private Conversation, to beware of any Ex- ssions that may seem in the least, to justify such ctices, or to alleviate the Guilt of them, or may interpreted to import, that any sufficient Ground or casion hath been given to commit such Abuses. And Assembly earnestly recommends to the Gentlemen o have been injur'd by these irregular Practices, to the greatest Tenderness towards a poor misled Peo- e, in Order to the reducing them to their Duty. d the Assembly appoints this Act to be published m their respective Pulpits, in these Bounds, upon second Sabbath of *June* next, or the first Sabbath after is comes to Hand, after Sermon in the Forenoon, th suitable Exhortations to enforce the Design of this t. Extracted by me,

Jo. Dundas, Cls. Eccl. Scot.

The

The Earl of Finlater's *Speech to the General Assembly, when he was pleased to dissolve them.*

Right Reverend and Right Honourable,

IT is a great Pleasure and Satisfaction to me, that this venerable Assembly has now ended all that was necessary to be laid before them with such Prudence and Moderation.

And here I cannot but observe, That the Affair which did appear most difficult, and did threaten the continuance of Division and Animosity, was, by the Blessing of God, upon your Endeavours, determin'd with Unanimity, and thereby Peace restor'd to the Parochin and Judicatories of the Church, that were more immediately concern'd therein.

I shall represent to his Majesty the great Duty and Loyalty that has appear'd in all your Proceedings, to his sacred Person and Government; and as at the opening of this Assembly, he did express the entire Trust and Confidence he had in you, I can now say you have fully answer'd his Majesty's Expectation, and you may depend upon the Continuance of his Royal Favour and Protection.

I must recommend to you, when you return to your respective Charges, that you will continue to represent to your People the great Blessings and Advantages this Nation and Church enjoys under his Majesty's Government; and that you will endeavour to convince them, that it is their Interest as well as Duty, to be loyal and faithful to his Majesty, and steady in their Affection to his Royal Family; under which the Protestant Religion and Presbyterian Government, as established in this Church, stands firmly secur'd.

Right Reverend Moderator,

I do, in a most particular Manner, return you and the Right Reverend and Right Honourable Members of this Assembly, my most hearty Thanks for the Regard you have shewn to me; and I think it my great Happiness, that what I have endeavour'd to do in this high Station, has been acceptable to you: And I again assure you, that I shall improve all Opportunities of rendering all the Services and good Offices I am capable to perform, for preserving the Prosperity and Tranquility of this Church.

Th

he Moderator having insisted in a most pathetick ner, on the Danger of the Protestant Religion, and Majesty's Government, by the Increase of Popery; in the Name of the Assembly, desir'd me to lay be- his Majesty the Addresses of the late Commission former General Assembly on that Subject, I do great Chearfulness promise to lay these Addres- before his Majesty, and to join my Endeavours, that Majesty may comply with the Desire of so venerable loyal an Assembly.

ll your Affairs being now ended, I do, in his Maje- Name, and by his Authority, dissolve this General mbly, and declare it to be dissolv'd. And in his esty's Name, I do appoint and indite the next Gene- Assembly of this National Church, to meet at this e, upon the first Thursday of *May* next, in the Year our Lord 1725.

GREAT BRITAIN.

Bout the Middle of *May* his Majesty was pleased to write the following Circular Letter to the two iversities of *Oxford* and *Cambridge:*

The King's Letter to the two Universities.

GEORGE R.

RUSTY and well-beloved, we greet you well. We being greatly desirous to favour and encourage two Universities, those ancient and laudable Nur- ies of Piety and Learning, and to enable them more ctually to answer the End of their Institution, by ding forth constant Supplies of learned and able Men, erve the Publick both in Church and State; and ving observed, that no Encouragement or Provision hitherto been made in either of the said Univer- es, for the Study of modern History or modern Lan- ges, the Knowledge of which is highly necessary wards compleatly qualifying the Youth committed their Care for several Stations both in Church and te, to which they may be called; and having seri- ly weighed the Prejudice that has accru'd to the said Univer-

Universities from this Defect, Persons of foreign N-tions being often employ'd in the Education and T-tion of Youth, both at Home and in their Trav- and great Numbers of the young Nobility and Gent- being either sent abroad directly from School; or ta- away from the Universities before the Course of th- Studies can be there compleated, and Opportunities f- quently lost to the Crown, of employing and encourag- Members of the two Universities, by conferring them such Employments, both at Home and abro- as necessarily require a competent Skill in writing a- speaking the modern Languages. In Order therefore remedy these and the like Inconveniencies, we have d- termined to appoint two Persons of sober Conversati- and prudent Conduct, of the Degree of Master of Ar- or Batchelor of Laws, or of some higher Degree in o- of the said Universities, skilled in modern History a- in the Knowledge of modern Languages, to be nomi- ted by us, to be our Professors of modern Histor- one for the University of *Cambridge*, and the other f- that of *Oxford*, who shall be obliged to read Lect- in the publick Schools, at such Times as shall hereaf- be appointed. And we have further determined, th- each of the said Professors shall have a Stipend of fo- hundred Pounds *per Annum*, and out of the said S- pend shall be oblig'd to maintain with sufficient Salari- in the University where he shall be established, t- Persons at least, well qualify'd to teach and instruct- Writing and speaking the said Languages, which f- Teachers shall be under the Direction of the Profes- respectively, and shall be oblig'd to instruct *gratis* in t- modern Languages twenty Scholars of each Univers- to be nominated by us; and each Scholar so nomina- shall be oblig'd to learn two at least of the said La- guages, both the Professors and Teachers taking e- cial Care that the Times and Hours for the instruct- and teaching the said Scholars, be so order'd, as not interfere with those appointed for their Academical S- dies; which Professors and Teachers shall be obli- once every Year to transmit an attested Account of t- Progress made by each Scholar committed to their C- to our Principal Secretaries of State, to be laid be- us, that we may encourage the Diligence and Appli- tion of such amongst them, as shall have qualify'd the- selves for our Service, by giving them suitable E- ployments either at Home or abroad, as Occasions sh-

ter. And our Royal Will and Pleasure is, that you rthwith upon the Receipt hereof call a Congregation, Order to communicate these our Royal Intentions to e University. And so we bid you farewel. Given at r Court at St. *James's*, the 16th Day of *May*, 1724, the Tenth Year of our Reign.

By his Majesty's Command,
TOWNSHEND.

The following Address of the Chancellor, Masters, d Scholars of the University of *Cambridge*, was on the d of *May* presented to his Majesty, by the Reverend r. *Snape*, Provost of *King's-College*, Vice-Chancellor of at University, attended by the Proctors and several her Members of the same; introduced by his Grace the ke of *Grafton*, Lord Chamberlain of his Majesty's ousehold.

To the King's Most Excellent Majesty,
he humble Address of the Chancellor, Masters and Sholars of the University of *Cambridge*.

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Chancellor, Masters, and Scholars of ur University of *Cambridge*, having been honoured th your Majesty's Royal Letter, which has been read us in full Senate, intimating your gracious and princeIntentions of establishing, both in this and your other iversity, a new Professorship of modern History and dern Languages, with an Appointment so ample, well nigh to equal the Stipends of all our other ofessors put together; beg Leave to approach your red Person, with the sincerest Assurances of Duty, yalty and Gratitude, which such unparallell'd Munience requires.

Your Majesty, like a common Father that is watch for the Welfare of his Children, has wisely observed ere our greatest Defect lay, and where your Relief uld most seasonably be apply'd; we have for many ars, with Grief observ'd, and may now with Assuce, venture to speak out our Grievance, since your jesty has been pleased to enter so far into our Cause to join in the same Complaint, that foreign Tutors ve had so large a Share in the Education of our Youth Quality, both at Home and in their Travels: And

we are thoroughly sensible, that the Reason why they have been so employ'd, in Preference to Men of far superiour Learning of our own Country, has been the Want of proper Helps towards the attaining those Accomplishments in our Universities, for which your Majesty is now making so honourable a Provision. But we are now firmly persuaded, that when your Majesty's noble Designs shall have taken Effect; when there shall be a sufficient Number of Academical Persons well versed in the Knowledge of foreign Courts, and well instructed in their respective Languages; when a Familiarity with the living Tongues shall be superadded to that of the dead ones; when solid Learning of Antiquity shall be adorn'd and set off with a skilful Habit of conversing in the Languages that now flourish, and both be accompanied with *English* Probity; our Nobility and Gentry will be under no Temptation of sending for Persons from foreign Countries to be entrusted with the Education of their Children; that the Appearance of an *English* Gentleman in the Courts of Europe with a Governor of his own Nation, will not be so rare and uncommon as it has hitherto been; and that your two Universities thus refin'd, and made more complete serviceable to the Education of Youth, by your Majesty's most judicious and well directed, as well as liberal Benefaction, will be able to furnish you with a constant Supply of Persons every way qualify'd for the Management of such weighty Affairs and Negotiations, as your Majesty's Occasions may require.

We most heartily beseech the Almighty to prosper this, and all your great and glorious Undertakings; that you may long live and reign, 'till you have receiv'd the fullest Conviction, that your Royal Purpose has not been frustrated, but that this new Institution has prov'd (as your princely Wisdom intended it should) a real and National Blessing.

Permit us further, most Gracious Sovereign, to testify our grateful Sense of two other distinguishing Marks of your Royal Favour so lately conferr'd on your two Universities; the charging your Revenue with new Salaries appropriated to twelve Persons chosen out of each as Preachers in your Chapel of *Whitehall*; and your generous Resolution of entitling to a Share of such Benefices as are within your Royal Patronage, the Members of the two Universities. We scarce had Time to congratulate one another on Occasion of the two last mentioned

on'd Favours, when they were follow'd by that new accumulated Instance of your Goodness, the Erection a new Professorship.

In Return for such repeated Obligations, we shall not il to put up incessant Prayers to God, for the Preser-tion of your Majesty and your Royal Family; and all always endeavour to contribute, in the best Man-r we are able, to the Tranquility, Peace and good Or-r of your Government. *May* the 19th, 1724.

To which Address his Majesty was pleas'd to give the llowing most gracious Answer:

Thank you for this dutiful and loyal Address; and am glad to find that what I proposed to you in my Letter, ets with your entire Approbation; and doubt not but with r Assistance, my Intentions upon this Occasion, will prove Honour to the University in general, as well as an dvantage to the particular Members of that Learned dy.

The following Address having been transmitted by the ice-Chancellor of the University of *Oxford*, was also esented to his Majesty by the Right Honourable the rd Viscount *Townshend*, one of his Majesty's Principal retaries of State, on the same Occasion,

Address of the University of *Oxford*,

To the King's Most Excellent Majesty.

May it please your Majesty,

WE your Majesty's most dutiful and loyal Subjects, the Chancellor, Masters and Scholars of your iversity of *Oxford*, do humbly beg Leave to return most hearty Thanks for your Majesty's most gracious tter to our Vice-Chancellor by him this Day com-nicated to us in full Convocation; wherein your Ma-y has been pleas'd to declare it to be your Royal In-tion to establish in this your University of *Oxford*, a fessor of modern History, and also under the Di-ion of the said Professor, two other Persons to teach instruct in writing and speaking the modern Lan-ges; to the Intent, that the Youth committed to our e from all Parts of your Majesty's Dominions, may the more compleatly qualify'd for such Employ-

ments in your Majesty's Service, either at Home abroad, as your Majesty shall be pleas'd to confer up them. As we cannot but be deeply affected with this stance of your princely Favour, in making this new Pr vision for the Honour and Advantage of this Place; we must at the same Time most gratefully acknowled your Majesty's gracious Tenderness towards our ancie Constitution, in directing that the Hours for teachi your Majesty's Scholars the modern Languages be so order'd, as not to interfere with those already appoin for their Academical Studies: And the World must serve, that such is the Nature of this Bounty, that could not come but from a Prince who is not unwilli that his Actions should be faithfully transmitted to sterity.

We beg Leave to assure your Majesty, that we carefully improve to the Honour and Service of y Majesty's Person and Government, all the Advanta arising from this and all other your Royal Favours, chearfully embrace every Opportunity given us of serving the Continuance of them.

Sealed in the Convocation-House with the common Seal of the University, this 19th Day of May, 1724.

Which Address his Majesty was pleas'd to receive graciously.

In the *Historical Register* N° XXXIII. being the for the present Year, an Account is given of the ceedings in Parliament against *Francis* Lord Bisho *Rochester*, but several remarkable Speeches both and against that Prelate, were omitted for Wa Room, which in *pag.* 99, of that *Register*, we pro to insert as Opportunity should offer: Now, as n them better deserve to be transmitted to Posterity that of the Duke of *Wharton* against the passing Bill, in Answer to that of the Bishop of *Lond* which Notice was taken in *pag.* 88, of the said *Re* 'tis judg'd proper to insert the same as follows:

Grace the Duke of Wharton's *Speech in the House of Lords, on the* 15*th of* May, 1723, *against passing the Bill for inflicting Pains and Penalties on* Francis *Lord Bishop of* Rochester.

My Lords,

OME Words which have fallen from the Reverend Prelate, who spoke last (*the Bishop of* London) have de it, in some Measure, necessary for me to trouble ur Lordships with the Reasons that induced me to er from him in Opinion, and to give my Negative to Bill now depending before us. If I don't misunder- nd his Lordship, he was pleas'd to say, 'That Per- ons without Doors would be apt to cast different Reflections on the particular Behaviour of every Lord this Day; that those who were for the passing of this Bill, would be accused of Malice and Partiality; and those who were of contrary Sentiments would be branded with Disaffection to the present happy Esta- blishment.' For my part, I am far from thinking that onsiderations of this Nature will have the least Weight ith any of your Lordships; and am very certain, that ery one who gives his Vote on this important Occa- on, has attended with the greatest Care, to the Evi- nce that has been given at your Bar, which is the oundation of this Day's Debate. The Proofs that ave been brought to support the Charge, and the Bi- op's Defence, are to be thoroughly consider'd; and hen your Lordships proceed according to the Rules of ustice, you will not fear nor value any Consequences hich may attend the discharging of your Duty. So I will venture to affirm, that the best Way to shew ur Zeal to his Majesty, and the present Government, is aft in all Cases, both in our Judicial and Legislative apacities, with that Honour and Impartiality, as ought flourish in this great Council of the Nation. I could ave wished the Noble Lords who have given their easons for the passing this extraordinary Law, would ave entred into the particular Circumstances of this ase, and considered it singly on its own Merits: But stead of speaking on that Head, I cannot but take otice, That they have wandered from that (which ught to have been their only Consideration) into arned Discourses on Bills of this Nature in gene- l.

I shall

I shall not trouble this House with any Arguments against Attainders. Many Lords, of greater Weight and Abilities than myself, have already spoke fully to this Point in the preceding Debates. I shall only so far agree with the Reverend Prelate, who spoke before me, that it is proper, that such a Power of punishing by Bill, should be vested in the Legislature, to be exercised on extraordinary Emergences: But then I must add, If ever that Power is abused; if ever it is employ'd to destroy innocent Persons; it is evident that the Lives, Liberties, and Fortunes of every Subject in *Britain*, are in the utmost Danger, and liable to be sacrificed to the Fury of a Party. It has been admitted, that every Bill of Pains and Penalties is to stand upon its own Bottom; and that the passing of one Act of this Nature, is not to be brought as a Precedent for the supporting of another, unless there be convincing Evidence to enforce each Case. And therefore the proper Consideration now before us, is, Whether the Evidence offer'd against the unfortunate Prelate, is sufficient to induce your Lordships to believe him guilty of the heavy Crimes of which he stands accused? My Lords, I shall take the Liberty of considering the whole Proofs that have been brought on this Occasion, both by way of Charge, Defence, Reply, and Rejoynder. And though I own myself very unequal to this Task; yet since no other Lord, who could do it much better, has undertaken it, I think it my Duty as a Peer, and as an *Englishman*, to lay it before your Lordships in the best Manner I am able. The Method I shall observe for the more clear stating of the Case, shall be to lay every Particular Branch of Evidence before you, and to distinguish the several Parts of the Accusation, and to consider them separately, to avoid Confusion, and to be the more exact in what I have to offer. I must desire your Lordships will pardon me, if I repeat several Arguments that have been used by the Counsel at the Bar; and if I even mention some Things which fell from me in the Debate on Mr. *Kelly's* Bill, whose Case is very much interwoven with the present; so that it is almost impossible to avoid it.

Before I go any further, I cannot but say, That were these Crimes plainly prov'd against the Bishop of *Rochester*, his sacred Function and Station in the Church would be Aggravations of his Guilt: But, as this is certain

ertain on the one Hand, so on the other, your Lordships will require very clear Demonstration, before ou can think it possible for a Bishop of the Protestant Church (who has signaliz'd himself in Defence f the Reformation, and the only one of that Bench here he had lately the Honour of sitting, that ever rote in Favour of *Martin Luther*,) to engage into a Conspiracy for introducing Popery and Arbitrary Power amongst us. The Counsel for the Bill open'd the Charge ith acquainting the House, that it was only to be upported by producing of decypher'd Letters full of ctitious Names and cant Words: They were so very ir, as to confess, they had not one living Witness that ould charge the Bishop with any thing, nor even so uch as a Letter under his own Hand; Therefore, on e first View, this Manner of condemning, on such ind of Evidence, ought to require our utmost Caution, ft we should establish a Method, which our Enemies ay hereafter take to destroy the greatest and most innoent Subject in the Kingdom.

Mr. *Weare* cited two Cases, which he would have us eceive as Precedents, to justify the admitting of Circumstantial Evidence: The one was, the Case of *Ashton*, ho was condemn'd on Circumstances only; but, my ords, this was before the Treason-Act was pass'd, which quires two positive Witnesses, and nothing could induce e Legislature to pass that Law, but a thorough Conviction of the Danger that might attend the admitting any Proofs which were not positive or certain. The cond Case he cited, was that of *Harrison*, for the urther of Dr. *Clinch*, and the learned Gentleman tells u, that it was the pulling out of a Handkerchief at led to the Discovery of that Murther. It is very rtain, Circumstances may lead to the Discovery of Evidence; but must be well supported before they can converted into convincing Proofs. The first Piece of vidence that was offer'd at the Bar, was the Extracts Letters from abroad, which this House seems, in me Measure, to have declar'd to be immaterial, when ey did not so much as desire to see Copies of the whole etters, nor the Originals, and even admitted one to be d, which was Anonymous: But it will not be improper to observe, that through this whole Correspondence, e Bishop of *Rochester* is not nam'd. And therefore I nnot see why they took up our Time with reading pers quite foreign from this Case; especially since every

every Body allows there has been a Conspiracy, which
the only Fact to be gather'd from this Correspondence.
The next Point which was attempted to be prov'd, w
That Captain *Halstead* went to fetch the late Duke
Ormond, and was at the Deanary with the Bishop be
he embark'd; there are also two Letters found in
Bishop's Close-stool, from this Gentleman to his Lo
ship, which were read, and are only Appointments
Visits, but mention nothing of this Design; and I th
there was a Coachman, that prov'd, *Halstead* wa
Hour with him some Days before he left *London*. T
was open'd as a Matter of great Importance; but y
Lordships must remember, that the suppos'd Design
Halstead's to bring the late Duke of *Ormond* into Eng
is only prov'd by Hearsay. One of the Crew belong
to the Ship in which he went, has depos'd, that it w
the common Report at *Bilboa*, that *Halstead* came th
on that Errand. How far common Fame is to prev
I submit: But if this Hearsay were true, Is every Pe
son who was an Hour with this Gentleman before
Departure, suppos'd to be privy to this Project? A
what a strain'd Construction is it, to insinuate, the
shop of *Rochester* knew of his Intention, because he
ceiv'd a visit from *Halstead*, who was a Tenant under
Bishoprick? And this is the more extraordinary, b
it has not been so much as pretended, that any Co
spondence has pass'd between the Reverend Prelate
the late Duke. They then produc'd Letters dire
to one *Dumvill*, which were decypher'd. And Mr. W
was examin'd to prove, that they were rightly and
ly explain'd. It very well deserves your Lordships C
sideration, how far this Kind of Evidence is to be
mitted: It has appear'd by the Oath of Mr. *Willis* M
self, that it is an Art which depends upon Conjecture;
this Gentleman has confess'd, that every Man is li
to a Mistake in this, as well as in other Sciences; he
you, that he and his Brother Decypherer varied in
or two Instances; He allows, that the Chasms, wh
they were forc'd to leave in those Letters, might al
the Sense of them. And therefore I cannot but th
that an Accusation grounded on such Proofs, is un
tain and precarious. The Person who is the Decy
rer, is not to be confuted, and what he says must be
ken for granted, because the Key cannot be produ
with Safety to the Publick; and consequently (if
Conjectures be admitted to be Evidence) our Lives

Fort

rtunes must depend on the Skill and Honesty of De-
pherers, who may with Safety impose on the Legisla-
re, when there are not Means of contradicting them
want of seeing their Key. My Lords, in the Case
Coleman, the Key was printed, as has been well ob-
v'd by the Counsel at the Bar, and I am very much
rpriz'd, that Gentlemen of such Abilities and Inte-
ity, as the Members of the secret Committee in ano-
er Place, (who were so exact as to print the *French* O-
inals to the translated Letters, that the World might
how just and candid the Prosecutors of the Plot were)
not, for the Satisfaction of the Publick, permit us
see the Key in Print, on the Truth of which, de-
nds such a Chain of Consequences. I own my self
tirely ignorant of this Art; but, as I should be very
from condemning a Man on my own Conjecture,
should much less do it on the Conjectures of others.
e greatest Certainty human Reason knows, is, A
thematical Demonstration; and were I brought to
ur Lordships Bar to be try'd upon a Proposition of Sir
ac Newton's, which he upon Oath should swear to be
e; I would appeal to your Lordships, whether I
uld not be unjustly condemned, unless he produc'd
Demonstration, that I might have the Liberty of
quiring into the Truth of it, from Men of equal
ill? I cannot think any Man will allow Evidence
this Nature to be good: But if in this Case relating
the decypher'd Letters to *Dumvill*, your Lordships
uld admit it, there is nothing mention'd in them
t can affect the Bishop, neither is he at all nam'd in
m, but they are only brought to prove the Conspi-
y in general.

The Examinations of Mr. *Neynoe* are the next Points
t are laid before your Lordships: And, I must do the
ntlemen at the Bar the Justice of saying, That they
bore mentioning any thing of them, when they
a'd the Charge. They were so sensible that such
oofs could not have the least Weight to affect the
hop, that tho' in the Case of Mr. *Kelly* they were
duc'd against him as very material to support that
l, yet they did not think proper to name them a-
inst the Bishop; which I am thoroughly persuaded,
owing to what appear'd at your Bar, by the Exami-
ion of Mr. *Bingley*, and the universal Opinion which
ry Person seem'd to have of the Villany of Mr.
ynoe's Transactions. These Examinations were never

sign'd by the Person, neither was he ever examin'd to 'em upon Oath; so that were they of Consequence, and he a Person of Credit, they could not be admitted to affect any Person whatsoever, in any Court of Justice or Equity. I don't mean, that they could not be read according to the strict Rules of *Westminster-Hall*, which is admitted on all Sides they could not: But I dare affirm, that no Credit can be given to 'em on any Account whatsoever. The Person was closely confin'd, and consequently in the Hands of the Government, so that he was at that Time under the greatest Apprehensions, which might, in some Measure, prevent him from speaking Truth, with that Sincerity and Candour of which every Person ought to be Master, when he is examin'd on Matters of such nice Nature. Tho' these Papers were entirely given up by the Counsel for the Bill, yet the Extract of them was read, and they are the visible Foundation of this Charge; and if they are insignificant, the whole Accusation falls to the Ground. For the whole Proof of the Bishop's dictating to Mr. *Kelly*, depends on Mr. *Neynoe*'s bare Affirmation. The whole of what *Neynoe* says, or is suppos'd to say, is that Mr. *Kelly* told him, he wrote the Bishop's Letter for him; Mr. *Kelly* denies it, and Mr. *Neynoe* was so conscious that he had been guilty of many Crimes, that he endeavour'd to withdraw from Justice, and the Providence of God, it is said, intercepted him. My Lords, if you will consider the Improbablities of this Evidence, although it were upon Oath, and sign'd by him, it cannot be supported. He tells you, that he was entrusted to draw up Memorials to the Regent; yet none of those have been produc'd, and yet it is apparent, the Copies of them might with Ease, have been obtain'd, if he had been as thoroughly press'd to deliver them as he was to declare he wrote them. These Memorials, he said, were wrote by the Order of Mr. *Hay Watson*, whom he takes to be the late Earl *Marishal*: And I am certain, your Lordships don't think that Fact material, when you came to a Resolution, that the Bishop of *Rochester* should not be at Liberty to ask, Enquiry was made of the said *Neynoe*, or if he gave any Satisfaction to the Lords of the Council, touching that important Fact of *Watson*'s, whom he took to be Earl *Marishal*, lying with him several Nights. It is very well observ'd by a learned Gentleman at the Bar, That nobody can believe, the late Earl *Marishal* would

have repos'd so great a Confidence in a Person who was entirely a Stranger to him, and of such little Note; and the Jacobite Party must be in a low Condition, when they make Use of such a Creature to write Papers of that Importance. There is so much Improbability in this and other Points, and so much Contradiction in several Parts of his Examinations, that they appear to me, and must to all reasonable Men, as the Dictates of Fear, and not agreeable to Truth. He mentions, that the Reverend Prelate had some Favours offer'd him by the Court; but that cannot be true, and must be added to the rest of these Absurdities.

But what in my Opinion, clears up all these Matters, and makes it impossible for me to give the least Credit to this, or any other Part of the Charge, are, the several Testimonies of *Bingley*, *Skeene*, and *Stewart*. I must observe, that the two first Persons, *Bingley* and *Skeen*, are actually now in separate Custodies, and consequently, could have no Communication one with another. The Third is at Liberty, but his Testimony is so thoroughly supported by Mr. *Gordon* and Mr. *Kynaston*, that no Doubt can arise as to the Veracity of it. These Gentlemen, who are in the Hands of the Government, are under Hopes and Fears; and therefore it is certain, when they speak a Language, which perhaps may be disagreeable to those on whom they at present chiefly depend, it must be the Spirit of Truth that prevails. Mr. *Bingley* was before us in the Case of *Kelly*, and was so examin'd at the Bar of the House of Commons, tho' not upon Oath; and tho' he has been more severely treated, as he told your Lordships, and more strictly confin'd since his first Examination, yet he has persisted in his Story; and tho' he was so long at your Bar, and so many Questions put to him, yet he never varied in any one Circumstance, but appeared consistent through the whole Course of his Behaviour. I shall not detain your Lordships with recapitulating his whole Evidence; but your Lordships will remember, I told you, *Neynoe* abounded in Money, which *Neynoe* said (after he was apprehended at *Deal*) *An Honourable Person* (and on this Occasion, I hope, I may name him) *Mr. Walpole gave him* And more particularly, he mentions 50 *l.* which *Neynoe* said he received the Night before he went to *France*. *Bingley* told your Lordships, that Neynoe *had assured him, he used to meet this Honourable Person in the* Stable-Yard *at* Chelsea: And the Er-

and on which he was going to *France*, was, to discover some Secrets relating to Cyphers, which he would have engag'd *Bingley* to have done for him; and particularly to get them if possible, out of Mr. *Kelly*; *Which*, he said, *could he obtain, would be of great Advantage to him.* That *Neynoe* had declar'd to him, *He would be even with Mr.* Kelly *before he was aware of it*, or Words to that Effect; and that Mr. *Kelly* always seem'd averse to any Acquaintance with Mr. *Neynoe*, of whom he entertain'd a mean Opinion. That *Neynoe's* Father refus'd him Money, which makes it highly probable, that his Poverty was the Occasion of his Villany; and that when he was taken at *Deal*, he had declar'd to him, *Mr.* Walpole *expected to find the Plot about him; and since Mr.* Walpole *could not, he must make one for him.* Neynoe *told* Bingley, *that this Honourable Person had vow'd Destruction to the Bishop of* Rochester, *by saying, he would pull down the Pride of this haughty Prelate*; which is sufficient to convince your Lordships, how little Regard ought to be had to the Hearsay Evidence of so false a Wretch.

Mr. *Bingley* says, That Part of this Account he had given to the Lords of the Council; and I could have wish'd, that this Examination (as well as some other to the same Purpose) had been laid before the Parliament.

Mr. *Skeen*, who is also in Custody, has depos'd, That he lay in the same House with *Neynoe*, and had some Conversations with him. That *Neynoe* had told him *What he had said of the Bishop of* Rochester, *was entirely false.* And, *That Mr.* Walpole *had offer'd him a considerable Annuity to turn Evidence; and had given him Instructions before he was called in to the Lords, what Questions would be asked him, and what Answers he should make; and threaten'd him with* Newgate *if he would not comply.*

Skeene says further, *That* Neynoe *swore*, (and I hope the Reverend Bench will, in such a Case, permit me to repeat the Words) *by God, there were two Plots; one of Mr.* Walpole's, *against the Protesting Lords, and one his, to bite Mr.* Walpole *of Money:* And this seems to be the only Time, that ever Mr. *Neynoe* a-verr'd any thing upon Oath. To convince the World, what a Creature this *Neynoe* was, he tells *Skeen* further, *That once* the *Lord* Townshend's *Office he had a great Inclination to have stabb'd the Chancellor of the Exchequer.* He tells you

That *Neynoe* had wrote a Paper to declare, *That all he* ad *said of Lord* Orrery *was false.*

The next Witness was, Mr. *Stewart*, who was unfor-nately in Custody when *Neynoe* was brought to Town om *Deal*. *Stewart* says, that he slept the second Night ith *Neynoe*. That *Neynoe* had told him, *What he said the Bishop, was false: and that Mr.* Walpole *had offer'd a great Sum of Money, if he would swear to what he id, and turn Evidence, which he delar'd he could not do.* hat Mr. Walpole *had taken him into another Room before was examin'd, and told him what Questions he would pro-bly be asked, and what Answers he should give.* He says, hat *Neynoe* told him also, *That he had like to have kill'd* Mr. Walpole, *and so put an End to the Plot: And that* Mr. Walpole *had given him a Paper of Directions, which was to answer, in order to be a Witness against the Pro-ting Lords.* As a Confirmation of his Testimony, *Stew-rt* says, he told this to Mr. *Gordon* before Mr. *Neynoe* as drown'd; and to Mr. *Kynaston*, before the Meeting f the Parliament.

Mr. *Gordon* confirms this Part of his Evidence, and ures your Lordships, that he had heard it from *Stew-rt* before the Death of *Neynoe*. And Mr. *Kynaston*, Gentleman of an undoubted Character, lately a Mem-er of Parliament for *Shrewsbury*, has assur'd your Lord-ips, that he was acquainted with *Stewart's* Account f *Neynoe*, before the Meeting of the Parliament; and lds this Circumstance, That when in the Appendix he w those six Questions printed, he shew'd 'em to *Stew-rt*, who seem'd rejoyced, and said, *You see, Sir, what I ld you is true.* Such concurring Testimonies from Per-ons kept so separate, and who are speaking against their wn private Interest, must have the greatest weight, and ust at least prevent any rational and impartial Person om giving the least Credit to the bare Hearsay of this *hilip Neynoe.*

If any Doubt could remain, as to the Validity of this estimony, it is sufficiently confirm'd by the Persons rought to disprove it. The Chancellor of the Exche-uer himself, does not pretend to deny, that *Neynoe* told ese Things, but only adds other Circumstances to onvince you of *Neynoe's* Villany; and assures you, hat at the Time he was receiving Favours from him, e was thoroughly convinc'd, he intended to cheat him, hich was the Occasion of his being apprehended. He own'd the Transactions between them, before *Neynoe* went

went to *France*, and particularly the Money mention'd by *Bingley*, which are Proofs that *Neynoe* must have disclos'd these Secrets, since they could not come from Mr. *Walpole*, and he and *Neynoe* only were privy to it. Mr. *Walpole* has shewn your Lordships the foul Draught of the Questions mention'd by *Stewart*; and when he denies that Part of *Neynoe's* Declaration, relating to the Instructions given him before the Examinations, he owns he was twice alone with him; once the first Night of his being brought to Town, and the second Time, when he gave him the Paper of Directions, which might be Foundation enough for *Neynoe* to frame so notorious a Falshood.

The Witnesses brought by the Counsel for the Bill to the Character of Mr. *Bingley*, seem'd rather to confirm it than otherwise; and all agree, they never heard anything against his Morality. ——— They indeed have said, he bore the Character of a Jacobite, and suffered for having dispers'd a Libel; but Mr. Baron *Gilbert*, who was his Judge when that Punishment was inflicted on him, has told your Lordships, that his private Life was not vilified at his Trial, and that neither Perjury or Forgery was ever laid to his Door. Tho' the Punishment he suffer'd was the Pillory; yet it is the Crime, and not the Punishment, that makes the Ignominy; and for this I can appeal to the learned Judges. In Order to destroy the Evidence of Mr. *Skeen*, they produc'd one *Pancier*, who tells you, That *Skeen* had reveal'd many Secrets to him relating to the Plot; and particularly of a Military Chest, which was collected to carry on these supposed Designs, and support the Jacobites. ——— But I presume, every Body who heard the two Persons at the Bar, could not but remark the Steadiness with which Mr. *Skeen* deny'd these Asseverations, and the Confusion with which the other affirm'd them. Mr. *Pancier* seem'd to drop something which entirely destroys any Credit that could be given to him by saying, *That he had own'd to Mr.* Skeen, *That he was a Friend to this Administration*; and yet has sworn, That after such a Declaration, *Skeen* had still persisted in his Story, and reveal'd some Part of this Intelligence to him. How far this is probable, your Lordships are the best Judges. Mr. *Pancier* goes further, and tells you that Part of this Conversation happen'd in St. *James's Park*, in the Presence of one *Dufour*. This *Dufour* was in the Hands of the Government, and I can't conceive

by we have never seen him or his Depositions, when would have been so easy to have brought this corborating Witness to Mr. *Pancier's* Testimony. I can't t think, that the not producing this Man's Evidence, a strong Circumstance to convince your Lordships, did not agree in the same Story with Mr. *Pancier*. ey also produc'd *Skeen's* Attainder for the *Preston* Rellion; but there have been many Acts of Grace since, that he is capable of being an Evidence; and there has thing appear'd to traduce his Character as a Man of orals.

In Order to shew your Lordships, That *Neynoe* could t possibly make these Confessions to Mr. *Skeen* and r. *Stewart*; the Counsel for the Bill, maintain, that y will prove *Neynoe* and the Prisoners were not tother after the first Night. This would be very matel, but I think it appears, by the Proofs brought to pport this Assertion, that they frequently have cons'd one with another. The first Witness they call'd, s Mr. *Crawford*, the Messenger, in whose House the isoners were in Custody; and I can't but say, it seems y odd, they should bring a Man to swear he had e his Duty: He has told your Lordships, that rd *Townshend* had given him Orders, that *Neynoe* uld be close confin'd; and if, after that, it should pear, that he had neglected such Directions, there is question, but that he instantly, and deservedly, uld have been remov'd out of his Employment. is Messenger, in this Situation, tells you, That af- the first Night, they never convers'd, to the best of Knowledge. That Mr. *Skeen* call'd *Neynoe* a Rogue an Informer; and spoke in very hard Terms of n; which I, indeed, think it appears, the Fellow ll deserv'd. *Crawford* says, That Mr. *Neynoe* had some per, two Sheets of which he found missing. He ewise swears, that Mr. *Stewart* lay upon the Stairs; owns, he had at that Time, two Servant-Maids. s. *Crawford*, his Mother, swears, that the Prisoners re never together: That she kept the Keys of the oms herself, but used to send up the Maid, *Hannah right*, with the Dinner. ——— Your Lordships ll observe, that both this Woman and her Son, swear the best of their Knowledge only, and are far from poive Witnesses. *Hannah Wright*, when she was first call'd, ke in the same Language with them, tho' she afterrds recollected herself better. When the Bishop came

to

to rejoyn, *Francis Wood*, *Thomas Wood*, and Mr. *Russel* severally say, that this *Hannah Wright* had declar'd to them, that she us'd to let the Prisoners converse together, whenever she had an Opportunity, which was when Mr. *Crawford* and his Mother were out of the Way; and that she us'd to stand upon the Stairs, and give Notice when any Person came, that they might retire into their several Rooms. And the other Maid, whose Name is *Christian*, has depos'd, that *Hannah* gave the Key of *Neynoe*'s Room to *Stewart*, and several Times desir'd *Stewart* to go up to him, and that they were together an Hour or more. And when *Hannah* was call'd a second Time, she own'd, she was turn'd away for Suspicion of having help'd *Neynoe* in his Escape; that she has left *Skeen*'s Door open, who lay near *Neynoe*; and that there was a large Hole in *Neynoe*'s Door, through which they might converse. She said, that *Neynoe* gave her a Paper, which she was to convey for him, but that it was taken out of her Bosom, and burnt by one of the Prisoners. When Mr. *Stewart* said, that he sat up at *Neynoe*'s Bed the second Night, and lay in the Garret where there was a Partition, but a Communication between them; *Hannah* said, she could not be positive of that, but believes it true. Mr. *Crawford*, when he was call'd to that Point, according to his usual Custom, denies it to the best of his Knowledge. Your Lordships will now judge, Whether the greatest Credit is to be given to the Belief of a Messenger and his Mother, who are swearing that they did their Duty; or to the positive Oaths of *Skeen*, *Stewart*, *Gordon*, *Kynaston*, *Francis Wood*, *Thomas Wood*, *Russel* and *Christian*, confirm'd by the Confession of *Hannah Wright*, when she came to be cross-examin'd and confronted. This concludes what has appear'd at the Bar, relating to Mr. *Neynoe* and his Transactions; and I am pretty certain, every impartial Body must agree with me, that so far from giving the least Credit to what he says, there have appear'd such Circumstances in the Transactions which are now come to Light, that must make the greatest Caution necessary before we believe any other Part of the Charge. Your Lordships will take Notice, that Mr. *Crawford* confesses, Mr. *Neynoe* had the Use of Paper, and four two Sheets missing; and *Hannah Wright* owns, she had a Paper from him, which was burnt by one of the Prisoners. This, my Lords, undoubtedly was the Paper relat

lating to Lord *Orrery*, mention'd by *Skeen* in his Evi-
nce.

I am now coming to the great and only Foundation
maining to support this Bill: If *Neynoe*'s Hearsay is
t to be believ'd, which is the Proof that was offer'd
shew, that Mr. *Kelly* was the Bishop's Secretary, and
ed to write for him; and particularly, that the Bi-
op directed three Letters, which were wrote in *Kelly*'s
nd, and transmitted to *France* under Cover to Mon-
ur *Gordon le Fils*. Every Body must agree, that un-
s the Dictating of these Letters be clearly prov'd,
e Bishop ought to be acquitted; and when hereafter,
s great Affair comes to be canvass'd by Posterity,
will stand or fall, as this Fact shall be strongly made
pear. They first read *Plunket*'s Cypher, and Mr.
radick attests it to be his Hand-writing. When this
ece of Evidence was offer'd, People were at a Loss
know what they intended to make of it, and little
ought, that they should be drove to make Use of
ckson, standing for the Pretender in that Cypher, to
w that the Letter directed to *Jackson* (one of the
ree beforemention'd, affirm'd to be dictated by the
shop of *Rochester* to Mr. *Kelly*) was to the Pretender;
all take Notice of this extraordinary Proceeding, when
come to consider those Letters. I shall only say now,
t were Mr. *Plunket*'s Correspondence to be regarded,
e Plot is of a very deep Nature, for he has had the
pudence to insinuate the most ridiculous Aspersions
inst the greatest Men amongst us. Three of his
tters were read out of Cypher, in two of which
r. *Johnson* is nam'd, that is Mr. *Kelly*; but neither
r. *Kelly*, or the Bishop of *Rochester* are allow'd Places
his Cypher, and consequently were not in an Associ-
on with him. *Johnson* is only spoke of by *Plunket*,
en he is mentioning domestick News, and in no other
nner than might be in every News Letter that
nt by the General Post. In order to shew, that the
ree Letters sent under Cover to Mr. *Gordon le Fils*,
re Mr. *Kelly*'s Hand-writing, which they very justly
ought was necessary to be made appear, before they
ov'd that the Bishop was concern'd in them; they
oduc'd a Letter of the 20th of *August*, which a Clerk
the Post-Office swears was stopt at the General Post-
ice. To convince us this Letter is Mr. *Kelly*'s Wri-
g, *Hutchins* the Messenger, says, to the best of his
owledge, it is Mr. *Kelly*'s Hand; and at the same

Time owns, he never saw him write 'till after his Commitment, and then he stood by him while he wrote two Letters, one to Lord *Townshend*, and the other to Mr. *Delafaye*; those Letters were produc'd at the Bar, and therefore every Lord in the House is as good a Judge of the Similitude, as the Messenger who has lately been restor'd into Favour, on what Account I cannot tell. If Mr. *Kelly*, during his Confinement, counterfeited and disguised his Hand, then the Messenger's Evidence can't be of any Weight; and if he wrote as usual, then every Person is equally capable of framing an Opinion of it, who sees the three Letters. The next Witness, is *Malone*, who swears, he has seen his direct Letters, but can't tell how long since he saw him write, nor how often. The Persons who contradict this Evidence, are so positive, so clear, and so concurring in their Testimony, that no Doubt can rise upon it. Mr. *Bingley*, when he was shewn this Letter, swears it is not like his Hand-writing. Mr. *Brown*, a Peruke-Maker, well acquainted with his Writing, when he was shewn the Letter of the 20th of *August*, and the Date of it hid by the Counsel for the Bill (so that he could not know what Paper it was before him) swears it is not his Hand-writing: When the Letter to *Delafaye* was produc'd, he declar'd, that was his Hand-writing: When another Paper was shewn, (I think, it was the Marriage Articles) he said, that was more like his Hand-writing than that of the 20th of *August*, but he did not believe it was wrote by him; and when they question'd him upon the Letter to Lord *Townshend*, he swore it was Mr. *Kelly*'s Hand-Writing. Mr. *Pickering*, who had Occasion to know Mr. *Kelly*'s Hand, having lent him some Money, and receiv'd several Notes and Letters from him during that Transaction, does agree with Mr. *Brown* in every Particular and most minute Circumstance; which is a clear and evident Proof, that this Letter of the 20th of *August* was not wrote by Mr. *Kelly*. The Difference, which they tell your Lordships, they observe between the Cut of the Letters in that of the 20th of *August*, and the others, is, that one is longer and straiter, the other wider and shorter; which is obvious to any Body that will look on both, and is a Confirmation of their Veracity. The Prosecutors of the Plot might have proved this better, and not have been driven to the Testimony of a Messenger, to support this great Foundation

of their Charge. It is notorious what Search they have made for Evidence of all Kinds; and as Mr. *Kelly* was educated in a College, they might easily have found credible Witnesses to that Point, if those Letters had been wrote by him. In the Case of Similitude of Hands, when it has been the most clearly and positively prov'd; as on the Tryal of Colonel *Sidney*, it has been esteem'd it to be cruel, that a Man should be convicted on such Kind of Evidence; and the Attainder of that unfortunate Gentleman was revers'd for that Reason. In *Sidney's* Tryal, his Bankers swore, they used to pay Bills drawn by him in the Hand-writing they were shewn, and no Persons could contradict them; and yet the Sentence against him was a great Blemish to that Reign. The Great Lord Chief Justice *Holt*, in the Case of *Crosby*, refus'd to admit it; and the Lord Chief Baron *Bury*, on *Francia's* Tryal, follow'd that Example. At present there is no Evidence that it is Mr. *Kelly's* Hand, and there is no positive Proof that it is not. —— Therefore, we who live under so equitable, just, and happy a Government, can never convict a Man, in these Days of Liberty, on such insufficient Conjectures.

They next produc'd the three Letters, which, they would insinuate, were wrote by *Kelly*, and dictated by the Bishop, and which were sworn by the Clerks of the Post-Office, to have been stopt going to *France*. The Bishop desir'd to examine them relating to these Letters being detain'd, and would fain have known who took them out of the Mail; this he thought was proper for him to demand, since he seem'd to insinuate, that he question'd their ever having been in the Post-Office. But your Lordships would not suffer any Enquiry to be made on this Head, and voted it *inconsistent with the publick Safety, and unnecessary for the Defence of the Prisoner, to permit any further Questions to be ask'd in Relation to this important Affair.* These honest Gentlemen, the Clerks of the Post-Office, have depos'd further, that the Papers produc'd, are true Copies of the Originals detain'd by them; tho' at the same Time, they confess, they never examin'd them after they had copied them. They positively swore further, that the Originals were of the same Hand with the Letter of the 20th of *August*, tho' they affirm this barely upon Memory, never having mark'd any Letter in order to know it again; and one of them declar'd

upon Oath, that he did not believe there could be such an Imitation of *Kelly*'s Hand, as could deceive him, tho' the whole House agrees, that Hands may be counterfeited, so as to deceive the Men that wrote them. They own, they never compar'd two original Letters between the 24th of *August* and 20th of *April*, tho' they might have stopt a Letter one Post, without Prejudice to the Government, in Order to be more certain in their Evidence. Thus should this Bill pass, this Great Man must fall by the Dependence this House must have on the Memory of these Clerks. Mr. *Lewis*, who has long serv'd in the Secretary's Office, tells us, that frequently Letters and Seals used to be counterfeited; and in a more particular Manner, by one *Brocket*, who excell'd so much in this Art, that he has cheated many Persons, and has so far deceiv'd 'em, that they have not known his Copy from their own Originals.

When these Letters, thus attested, came to be read, they are in Cypher, so that it must again depend on the Honesty of a Decypherer, before they can possibly be made treasonable. Mr. *Wills* declares, they were truly decypher'd according to the best of his Judgment and Skill; and that the Number 1378, which is subscribed to the third Letter directed to *Jackson*, stands for the Letter *R*. But when some Lords ask'd him a Question, which perhaps, had he answer'd, might have prov'd him to be under a Mistake; he refuses to give an Answer, either in the Affirmative or Negative, for Fear of revealing his Art. Your Lordships thought proper to prevent any further Cross-Examination of this Gentleman, by a Resolution. Mr. *Wills* says, he shew'd these Letters decyphered, to my Lord *Townshend*, before he communicated them to Mr. *Corbiere*, who is a Clerk in the Secretaries-Office, and then he says, that Mr. *Corbiere* and he agreed. Before these Letters can yet prejudice the Bishop, the cant Names in them, must be explain'd according to the Key which the Prosecutors of the Plot have made; and in Order to it, we must believe, that *Jackson* stands for the Pretender, because Mr. *Plunket* gave him that Title in his Cypher. Can there be a greater Absurdity, than to imagine a Person of the Bishop of *Rochester*'s Capacity, should borrow a Name of that Consequence, from so insignificant a Wretch as *Plunket*, who it does not appear ever saw him? Indeed, the Counsel for the Bill did not read these Letters against the Bishop, since they had no Proof of his dictating

ng of them, and they were only read on Account of he general Conspiracy. I must observe, it was a great rtifice of these learned Gentlemen, whenever there as a Piece of Evidence to which the Bishop objected, ey constantly pretended, they produc'd it to the Plot general; for they knew it could not be admitted a-inst the Reverend Prelate; but yet, when they came sum up, they apply'd them to this particular Case; hich is not agreeable to that Candour that is necessary such Occasions. If your Lordships should be of pinion that *Kelly* wrote 'em; that they were stopt at e Post-Office; that they were duly copied; that they ere truly decypher'd, and the cant Names explain'd; et still this cannot affect the Bishop, unless it be fix'd pon him that he dictated them: Two of them were gn'd *Jones* and *Illington*, and to induce your Lordships believe, the Bishop was guilty, as they affirm'd, ey endeavour to prove, those Names must denote him. nd in Order to it, they read some Letters, affirm'd the same Manner by the Clerks of the Post-Office, be his Hand-writing; but first they read a Cypher ken upon Mr. *Dennis Kelly*, and sworn by the Messen-r *Hutchins* to be wrote by *George Kelly*. I can observe thing upon this Cypher, but that the Bishop of *Ro-hester* is not mention'd in it, which seems very extra-rdinary, and is not a Proof of the Reverend Prelate's eing engag'd in a Conspiracy. The Letters they read f Mr. *Kelly*, are of no Moment, and are only calcula-ed to fix the Name of *Jones* and *Illington* upon the Bi-hop. They give an Account of his Lady's Death, the ishop's own Illness, his going to and from *Bromley*; nd in some of them, the Dog *Harlequin* is mention'd. seems repugnant to Reason, that in a treasonable Cor-espondence of this Importance, a Gentleman should enture his Life to give an Account of the State of one erson's private Affair, and entertain his Friends a-road with no other Business in such a Tract of Time. the Letters directed to Mr. *Andrews* at the *Dog* and uck, which are prov'd to have been receiv'd by Mr. *Kelly*, *Jones* and *Illington* are not nam'd; and those in hich we find them, were such as pass'd through the ost-Office, and were attested like those under Cover *Gordon le Fils*. It is not likely, that in a Transaction f so secret a Nature, Mr. *Kelly* should take such Pains give such a Description as might give the least Room r a Suspicion that the Bishop was concern'd; much

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less to have mention'd so many Particulars, as it may be suggested he has done, if there could be any Possibility of wresting the Meaning of *Jones* and *Illington*, and interpreting of them to mean the Bishop. *William Wood*, the Bishop's Coachman, is brought to prove the particular Times of the Bishop's being in or out of Town, in order to shew, that they agree with the Times mention'd of *Jones* and *Illington*, in the intercepted Correspondence; and he refreshes his Memory by a Book of *Memorandums*, which might have been destroy'd, if it had been apprehended by the Bishop's Friends, that such Evidence could affect him. What they next attempt was to shew, that the Dog brought over by Mr. *Kelly* from *France*, and which Mrs. *Barnes* swears, that he once told her, was for the Bishop of *Rochester*, was a strong Circumstance to fix the Name of *Illington* on the Bishop. Mrs. *Barnes*, who is under the Custody of a Messenger, is the only Witness to this Point, and what she says, is only Hearsay from *Kelly*. She owns, that *Kelly* never told her so but once, and that was when she thought to have kept it for herself. And indeed, it might be barely an Excuse to prevent his parting with it; for he had promis'd to bring her such a Present before he went to *France*. She owns that to her Knowledge, the Bishop never saw the Dog, nor sent any Message about it, which seems to be very extraordinary, that if this Present was of such great Consequence, he should not have had Curiosity enough, at least, to see it: An Affidavit was read from *Bermingham*, a Surgeon at *Paris*, which says, that he gave the Dog to Mr. *Kelly*, for Mrs. *Barnes*. It is proper to observe another great Improbability, which is, in a Letter wrote a few Days after the Death of the Bishop's Lady, it is said, Mrs. *Illington* was in great Tribulation for the Loss of poor *Harlequin*; and can it be supposed that at a Time when the Bishop was in Affliction for the Death of his Wife, he should indecently discover so much Grief for such a Trifle? I think, this is sufficient to convince any Person whatsoever, that this Correspondence is of a very extraordinary Nature. Mrs. *Barnes* has told your Lordships, that Mr. *Kelly* came from *France* the 11th of *April*.

I am now come to the only Piece of Evidence that seems particularly levelled at the Bishop: Which is the Proof that has been given of the dictating the Letters; and unless this be clearly and plainly made appear

ppear, I cannot conceive that any thing can be laid to this Prelate's Charge. Unless it is evident, that the Bishop did dictate as alledg'd; I cannot think any of your Lordships can vote him guilty according to the Rules of Justice; for no Man is safe either in his Life, Liberty, or Fortune, if he may be depriv'd of either, on Account of a Correspondence, in which it does not appear he was concern'd. Tho' your Lordships should so far credit the precarious Evidence at your Bar, as to believe, that *Jones* and *Illington* stood for the Bishop of *Rochester*; yet, unless it is plain, that it was with his Privity, it is certainly impossible this Bill should pass; and if it should, it will hereafter be in the Power of any two Men, one at Home, and one abroad, to ruin the most innocent Person, by entring, without his Knowledge, into a Correspondence of this Nature. If the being nam'd in treasonable Letters, be a Crime, though it does not appear it was with the Privity of such Persons, I will submit to your Lordships, how far Men of the greatest Zeal to the present Establishment, are to be affected by Mr. *Plunket*'s Insinuations. No Man ought to suffer for the Suggestions of another Person, unless it appears, he has given great Foundation for them. And in this Case, Would it not be most extraordinary and most unjust, to punish this Reverend Prelate for a Crime which there is no Proof he ever committed? I mean, the dictating of these Letters. And if on the other Hand, the unfortunate Circumstances of his Affairs has furnish'd him with Means of shewing, beyond Contradiction, that he could not be concern'd in the Letters of the 20th of *April*, that for a considerable Time before, he could not see Mr. *Kelly*; and that there never was an Intimacy between 'em; then, my Lords, I hope, every Man who gives his Vote for the rejecting this Bill, has the strongest Evidence of his Side to support his Opinion; and need not be afraid or ashamed to own it here, or any where else.

This Part of the Evidence being of great Consequence, I must beg your Lordships Attention whilst I recapitulate the Heads of it as clearly and distinctly, as possibly I can. The first Witness they call'd, was *Flower*, a Chairman, who swears, that he carry'd *Kelly* twice or thrice to the Deanary; but that the Bishop was never at Home, and consequently did not see him. His Partner swore, he had carry'd him, with *Flower*,

one

one of those Times. The next Person produc'd, was a Porter, one *Vanlear*, who depos'd, that he went about *Christmas* was Twelvemonth, twice with Messages from *Kelly* to the Bishop; the last of which Times, he carried some Beaver Stockings; that the Bishop sent for him up Stairs, gave his Service to Mr. *Johnson*, and thank'd him for his Present. Mrs. *Kilburn*, at whose House Mr. *Kelly* lodg'd, says, that once a Servant came from the Bishop, to know how Mr. *Johnson* did, and was sorry he could not have his Company at Dinner. *William Wood*, the Bishop's Coachman, says, he once stopp'd in *Bury-street*, but does not know for what; and that the Bishop sent a Servant somewhere, who presently return'd. And, *Lloyd*, who keeps the *Star* and *Garter* in *Palace-Yard*, has told us, that *Neynoe* once came to his House, and told him, he staid for an ingenious Gentleman, who was gone to the Bishop of *Rochester*'s House. This is all the Proof they offered of this Intimacy, from which they would infer, that the Bishop dictated these Letters, and is consequently guilty of the Crimes laid to his Charge.

If your Lordships consider what was produc'd on the other Side, I am sure, you must agree, there is no Foundation for this Assertion. Mrs. *Kilburne* denies, to the best of her Knowledge, that the Bishop ever came to her House, or that his Coach ever stopp'd there, or ever was sent for *Kelly*. That *Kelly* did not go out of Town, from the Time he came from *France*, 'till he was taken up the 19th of *May*, and never lay out of her House one Night. This was confirm'd by her Maid *Anne Ellis*. Mrs. *Barnes* says, she never heard of any Message from the Bishop to *Kelly*, nor ever had any Conversation with him about the Bishop. *William Wood*, the Coachman, who liv'd with the Bishop four Years, has declar'd, that the Bishop of *Rochester* never sent him with his Coach to *Bury-street*, to fetch any Person from thence; that there was no Stranger at *Bromley* for a Fortnight before his Lady dy'd, which was the 26th of *April*; that nobody could come in a Coach, or on Horseback, but he must know it; that he never saw such a Person as Mr. *Kelly*, 'till he was shew'd him at the Tower; and that the Bishop went ill of the Gout to *Bromley* the 12th of *April*, and did not return to *London*, 'till the 7th of *May*. *Malone*, Mrs. *Barnes*'s Servant, says, that she never saw the Bishop, or any of his Servants, with Mr. *Kelly*. *Thomas Grant*, who has been

en the Bishop's Servant nine Years, has declar'd, hat the Bishop went to *Bromley* the 12th of *April* very l of the Gout; and that no Stranger could come to im, from the Time he went to *Bromley*, 'till after e Wife's Death; that one or other of the Servants al-ays sate up with him; and that no Person could visit-im, but they must know it; for they were either in e same Room, or the next Room to him; and that Stranger, except Dr. *Aldridge*, and the Apothecary, me near him. *Grant* says, that he was forc'd to go Town to attend at the *Westminster* Election of Scho-rs of the 21st of *April*, but left *Beauchamp* there, who me down for that Purpose on the 18th. *Beauchamp* d *Steen*, who were the two Servants that attended with ant, swear the same Thing. *Susanna Harvey*, *Sarah nes*, *Thomas Farnden*, *Elizabeth Higginson*, and all the vants, agree, that they never heard of any Person by e Name of *Kelly* or *Johnson*, being with the Bishop. d Mrs. *English*, who took the Names of the Bishop's sitors for many Years, does not remember, that she er heard of such a Person as *Kelly* or *Johnson*. And oubt not, but that every Lord must allow, that it is possible to have a more clear, or a more strong, or al Proof to a Negative, than this is. I must ob-ve, that most of these Servants have been in strict stody, and severely used, particularly *Farnden*; and your Lordships see how unanimous they are in ir Evidence; and their Testimony is so positive, that annot conceive any Person can suggest there was the t Intimacy between this Reverend Prelate and Mr. ly; and much less, that he could be with him to te the Letters that are dated the 19th of *April*. Mr. ves did indeed so far agree, as to be of Opinion, that y might have been wrote the 11th of *April*, which the Day *Kelly* came from *France*: But, my Lords, . *Barnes* has depos'd, he went to Bed the Minute came Home, and lay there for a considerable Time: ides, it is improbable, that Letters wrote the 11th, uld not be sent 'till the 19th. But if any further ument was necessary to confute this absurd Suppo-n, the Earl of *Sunderland's* Death is mention'd in Letter to *Chivers*, and that Noble Lord dy'd the 19th, which Time it has been prov'd, Mr. *Kelly* was not h the Bishop.

The Bishop of St. *Asaph* did at first peremptorily tradict one Part of Mr. *Grant's* Evidence, by saying,

he had receiv'd a Letter from the Bishop of *Roche*
at the Time which *Grant* has sworn he was so ill
the Gout that he could not write. His Lordship po
sitively affirm'd, that he receiv'd this Letter on Sa
turday the 21st of *April* in the Morning, and saw Gr
in *London* between Twelve and Two: But when
was prov'd, that *Grant* did not leave *Bromley* 'till
Evening of that Day, and that another Person officia
for him as Buttler in the Deanary, by Reason of
Absence, then the Bishop seem'd to think himself
der a Mistake, and allow'd it might have been so
Time before. His Lordship own'd, he never receiv
a Letter from the Bishop of *Rochester* before nor sinc
and therefore was a Stranger to his Hand. I could ha
wish'd this Reverend Prelate had recollected hims
more fully before he had given his Testimony in
Matter of this great Importance to one of his Br
thren.

There was another Witness examin'd, which w
Crofton the Shoemaker, to prove, that *Talbot* (who w
said to have receiv'd the three Letters directed
Gordon le Fils) was at that Time in *London* when
was suppos'd to have been in *Bologn*. *Crofton* swe
he saw him in Town the 29th of *April*, and prov'd
by his Book. There was another Person call'd, wh
Name was *Donner*, that depos'd, *Gordon* own'd to h
the receiving of this Packet; but an Affidavit was
duc'd from *Gordon*, in which he denies it. *Donner's* E
dence is only Hearsay, the other is positive. The Co
sel for the Bill produc'd some Papers, which were ta
in the Bishop's Custody when he was apprehended,
endeavour to draw very ill-natur'd and forc'd Con
ctions from them. The First was a Letter from
Dutchess of *Ormond*, in which she acquaints him,
she had something to send him, which she could not trust
better Hand; or Words to that Effect. And this
would pretend to insinuate, were some treasonable
pers. I appeal to all Mankind, Whether it is not
extraordinary to suppose, that the Bishop should be
sum'd to convey a traiterous Correspondence thro'
Chanel. Every Body knows the Friendship w
was between the Reverend Prelate and that Fam
and it is not surprizing, that this unfortunate L
should think him a proper Person to consult, and
trust with her own Affairs. Therefore I can't think
these general Expressions can at all affect him.

ext they read, is a Paper found, or pretended to be ound at the Deanary, ſubſcribed to *Dubois*, but without Date: In this the Perſon who writes it, ſays, he eceiv'd a Letter by Mr. *Johnſon*, to which her return'd n Anſwer in his Hand. The ſecret Committee at firſt, pprehended, that this was receiv'd by the Biſhop, and hus it paſs'd, 'till upon ſeizing a Letter wrote in the Tower by his Lordſhip, they found a Similitude in the eals, which immediately enlightned them, and then it as preſently ſaid to have been wrote by the Biſhop. They then wanted to fix this to be the Biſhop's own Hand-writing, and they could find no other Way of oing it, but pretending there was a Similitude between he *E's* in this Letter, and thoſe which the Biſhop gerally us'd. I believe it is the firſt Time that ever uch an Argument was brought to prove that the whole Letter has been wrote by a Perſon; much leſs was it ver pretended to be offer'd to a Court of Juſtice ainſt any Priſoner whatſoever; but I believe, there no Man acquainted with the Biſhop's Hand, but ſees t is not wrote by him. They would alſo affirm, that hen in this Letter the Biſhop is ſuppos'd to ſay, that e return'd an Anſwer in Mr. *Johnſon*'s Hand, it muſt be nderſtood to be his Hand-writing; which, I muſt conſs, does not at all appear to be a neceſſary Concluſion; r he might deliver his Anſwer into Mr. *Johnſon*'s Hand; which is more natural to ſuppoſe than the other. Your Lordſhips muſt judge, how improbable it is, that he Biſhop ſhould keep ſuch a Letter by him, which e wrote himſelf; or that, when ſuch Care is taken, as he Proſecutors of the Plot themſelves ſay, for preventg any Perſon's diſcovering the Intimacy between Mr. *lly* and him, ſuch a Secret ſhould be truſted in Writng, and even without a Cypher. —— The two eals which gave this Turn, are *Cicero's* Heads, which re very common, and are to be found every where. They are one broke, the other whole, which muſt ake it very difficult to judge of them; and it is allow'd, at at beſt, it is but precarious Evidence. If Mr. *Neye* ſpeaks Truth when he ſaid, *The Biſhop had Notice of e Storm that threatned him*, I am certain, that this Paer, if it could have been apprehended of Conſequence, ould have been deſtroy'd; but I believe, it was imoſſible for him, or any Body elſe, to think it ſhould eet with ſuch an Explanation.

The next Letter they produc'd, which they seem'd to think material, was that which was seiz'd on his Servant going to Mr. *Morrice*: In this he says, That the Evidence of *Plunket*, and those People, could not affect him; but as he does not mention Mr. *Kelly*, they would have it presum'd, that this is a Proof, that *Kelly* could have said something of him; but I think, this must appear to be a very ill-natur'd Assertion. Your Lordships will consider, he was then writing to his Son in Law, and therefore no great Accuracy was necessary. In another Place he says, 'That if they impeach'd him, 'he should remain in Prison for some Time; and this they would decypher to be an Implication of his Guilt. ——— But, in my poor Opinion, it is the Reverse; he seems to say, That if the Commons should be induc'd to send up an Impeachment against him, he was so satisfied of his own Innocence, and your Lordships Justice, that he thought the Confinement 'till his Tryal would be the only Misfortune that could attend him. The Example of the Earl of *Oxford* was recent in his Memory, and might justly create in him a Fear of undergoing a long Imprisonment. It is objected, that he, in this Letter, makes no Protestations of his Innocence: But if you will consider, he writes to Mr. *Morrice*, I believe, every Body will agree, that such Declarations were not necessary. Mr. *Layer*'s Attainder was read, but it does not appear, that the Bishop had any Correspondence with him; therefore I can't conceive why we were troubled with it.

I have now gone through the whole Evidence that is brought to justify this extraordinary Proceeding, and must observe the Steps that have been taken to procure all the possible Means to work the Destruction of this Great Man. —You have seen his very Servants confin'd, who, it does not appear, were guilty of the least Glimpse of Treason. *Lawson*, a Baker of *Bromley*, who appears at your Bar, has been employ'd to examine the Persons in the Bishop's Neighbourhood, in order to find the least Particular that could amount to the Shadow of a Proof, and went so far, as to offer *Wood* the Coachman, the Wages that were due to him, if he would have gone the Lengths that were requir'd. Mr. *Bingley* told us in the Case of *Kelly* (and as it has not been disprov'd, it is to be taken for granted) that a Warrant was shewn by the Messenger, sign'd by a Secretary of State, to carry him to *Newgate*, which he was told, was unavoidable, unless

he would own the Letter of the 20th of *August*, to be Mr. *Kelly*'s Hand-writing; But it appear'd the next Day, to be nothing but in order to terrify him. Mr. *Kelly* himself has told your Lordships, That Mr. *Defoye* offer'd him his own Terms, if he would have turn'd Evidence: And this was done to destroy the Bishop of *Rochester*; or, to speak in the Language mention'd at your Bar, *To pull down the Pride of this haughty Prelate.* Your Lordships may remember, That Mr. *Yearg* objects to the Bishop's Servants, because two of them had Employments, as appears by his Lordship's own Letter: But, when they were examin'd, they acquainted the House, that it was upon reading of the Report, that they recollected the Bishop's Circumstances before the Death of his Wife. And if every Man, who has a Place under the Bishop, is not to be esteem'd a free Agent when he is upon Oath, I hope, it will be allow'd on the other Hand, That those who have Employments under the Government, ought not to be admitted; then all the Witnesses, that have been brought to support the Bill, from the Decypherer to the Messenger, will be discredited, and the whole Prosecution must fall to the Ground.

My Lords, it has been a Hardship as has attended the Bishop, that he has been forc'd to prove a Negative; and the Difficulty has been the stronger upon him, that your Lordships have not permitted Mr. *Kelly* to be examin'd, as was mov'd by a learned Lord in my Eye; and if the Gentleman had sworn what he so solemnly affirmed, at your Bar, relating to this Affair, I can't conceive, we could have had the least Debate. The noble Lords, who appear the most zealous in this Prosecution, were those who oppos'd the Examination of Mr *Kelly*, which, in my poor Opinion, is a strong Argument, that if he had been brought before us, he would have persisted in his Declarations of the Bishop's Innocence. The Reverend Prelate has desir'd of any Lord in the Administration, and even the honourable Person who appear'd at your Bar, to declare, whether any one single Person had charg'd him (on their own Knowledge) being guilty of any treasonable Practice. And it has appear'd to the contrary: Therefore this whole Charge is founded upon the slight Circumstances and improbable *Innuendo*'s beforemention'd. Another Objection, which was rais'd, is, That Mr. *Kelly* made Resistance when he was seiz'd, 'till he had burnt some of his Papers;

Papers; but I don't see any Reason to lay this to the Charge of the Bishop. *Kelly* is to answer for his own Actions, and is unfortunately like to suffer for 'em; a Person of his Age might have many Letters in his Custody, which he did not care should be seen, and yet of a different Nature from a traiterous Correspondence.

After this Evidence is considered, I cannot think your Lordships will establish such a Precedent, which hereafter may be employ'd to ruin the Greatest amongst you; and if ever hereafter Pains and Penalties are unjustly inflicted on any Person, Posterity will derive the Original of such Bills, from the Proceedings of this Parliament; and what Opinion will be fram'd of us, should this be pass'd into a Law, I submit to every impartial Person. It must be left to your Lordships Consideration, which will be of most fatal Consequence to the Publick, the leaving this Precedent (of condemning on such Kind of Evidence) like a Sword which your Enemies may take up when they please, or the Banishing the Bishop of *Rochester* in the Evening of his Days, who alone could do, in his single Person, no Prejudice to the Constitution: If he were inclin'd to overturn it, as his Enemies suggest, he is in a better Situation abroad, than at Home, to execute that Design, and direct the Counsels of the Disaffected. The Ruin of one Man will not heal the Wound, that the passing of this Bill seems to make in the Government of this Kingdom. It has been said in the Debate, That the Bishop ought to have made Protestations of his Zeal for his Majesty and his Family; but I think, he took the most ready Way of performing his Duty, when he shew'd himself innocent of the Crimes laid to his Charge. If he had made Use of any Expressions, which those Lords blame him for omitting, the same *good Nature* would have call'd it *Hypocrisy*; and those, who are displeas'd with his *Silence*, would have accus'd him of *Insincerity*.

My Lords, this Bill seems as irregular in the Punishments it inflicts, as it is in its Foundation, and carries with it an unnatural Degree of Hardship. It is Felony for his Children to correspond with him: And in this Circumstance, it is different from the only Bill that carries with it the least Resemblance of this: I mean, that for the Banishment of the Earl of *Clarendon*. The Earl had fled from the Prosecution, and retir'd

beyond

beyond Sea. The Charges against him, were principally, 'For advising a Standing Army; and another Article exhibited, was, 'That he had advised and procured di-'vers of his Majesty's Subjects to be imprison'd against 'Law, in remote Islands, Garrisons, and other Places, 'thereby to prevent them of the Benefit of the Law, 'and to produce Precedents for the imprisoning any 'other of his Majesty's Subjects in like Manner.' The 7th Article against him, was, 'That he had in a short 'Time gain'd to himself a greater Estate than can be 'imagin'd to be gain'd lawfully in so short a Time; 'and contrary to his Oath, he had procur'd several 'Grants under the Great Seal from his Majesty, for 'himself, and his Relations, of several of his Majesty's 'Lands, Hereditaments and Leases, to the Disprofit of 'his Majesty.' There need not have been any Witnesses of these Crimes, for they were apparent; and every Body knew that he was Prime Minister; yet Sir *Francis Goodier*, upon that Debate in the House of Commons, declar'd the Sentiments which I express'd at the Beginning, 'That he was not against proceeding, but unsatis-'fy'd to do it without Witness, it being like swearing '*in verba magistri*.' Another Great Man, upon the same Question, and an Ancestor to a noble Lord near me, said, 'That if the Parliament set aside Law in this Case, 'we should be happy to see Law declaring the Power 'of Parliaments.' The Punishment for corresponding with the Earl, was High Treason, and then two positive Witnesses were necessary to convict; but in this Case, one corrupt, terrify'd, and perjur'd Person may take away the Life of the most innocent Man. There is another great Misfortune which this Bill brings upon the Bishop, which is, That he is incapable of receiving his Majesty's Pardon. This is an Entrenchment upon the Prerogative; and what must make it the more severe in this Case, is, That his Majesty's Inclinations to Mercy (which are the distinguishing Characters of his Life) are stopp'd by this Law, which the unfortunate Prelate might have Hopes of receiving, when he had merited it, by a dutiful Behaviour to the Country that had sent him to wander abroad in Exile, and by his future Conduct have confirm'd, if possible, the Evidence he has given of his Innocence.

In the Case of the Earl of *Danby*, your Lordships have declar'd, that his Banishment should be no Precedent, nor drawn into Example for the Time to come, and

and have so enter'd it in your Journals. It has been prov'd, That this Reverend Prelate was at the Time that he was suspected to be acting in Treason, engag'd in Studies of the most high Nature, which is a Circumstance that ought to have some Weight. If this Bill pass into a Law, such Evidence is establish'd, and such a Method of proceeding introduc'd, as must effectually render all that is dear to us Precarious; and if ever, hereafter, we should see a wicked Administration, supported by a corrupt Majority in Parliament, this Step, taken in these Times of Liberty, will be a sufficient Precedent to give a Colour of Justice to the Actions of those who should be wanton in Tyranny.

The Reverend Prelate, who spoke before me, mentions some Cases relating to Bills of Attainder, which, in my poor Opinion, differ very much from our present Question. The Attainder of Sir *John Fenwick* was only to supply the Want of a Witness, who had depos'd against him upon Oath, before the Grand Jury, and who was spirited away by the Prisoner's Friends: But at present your Lordships are to supply the Defect of Evidence, by condemning on improbable Conjecture. There was a noble Lord in this House the other Day, I don't see him now, who made the greatest Figure in Opposition to that Bill: I wish we could have his Assistance on this Occasion. My Lords, since that Reverend Prelate has quoted some Cases, he will permit me to remind him what has been formerly said upon Acts of Attainder; that such Bills, like *Sisypeus's* Stone, have frequently roll'd back upon those that were the chief Promoters of them. This prudential Argument should restrain us from being too forward with them at this Time of Day. The Act for the Attainder of the Earl of *March*, pass'd, because he had been instrumental in procuring the Attainder of another Lord, under Pretence of a Letter, which, the Record says, was no Evidence. The Lord *Cromwell* is another known Instance of this Observation: He was the first who advised this violent Proceeding in *Henry* the Eighth's Time; and it is remarkable, that the Advice he gave to the Ruin of others, prov'd not long after, fatal to himself.

I have now given your Lordships the Reasons why I am against the Bill. I fear I have tir'd your Patience, and shall therefore conclude with the Words of the Great

Man

Man I before mention'd; In mean, Sir *Heneage Finch*, in the Case of the Earl of *Clarendon*. —— " We have an " Accusation upon Hearsay, and if it is not made good, " *The blackest Scandal Hell can invent, lies at our* " *Doors*.

To this Speech made by the Duke of *Wharton*, we will add another, that was publish'd some Months after the Trial by the Title of

A Speech made by a Noble Peer, (Earl C——r) *in the House of Lords, upon the Third Reading of the Bill*, for inflicting Pains and Penalties on *Francis*, Lord Bishop of *Rochester*.

My Lords,

THIS Debate has been already carried to that Length, and is by all agreed to be of such Importance, that I am sure your Lordships will permit me to enter into it without any Apology.

I am, my Lords, against this Bill, not only because I think nothing has been offer'd sufficient for the Support of it; but because I think the Honour and Dignity of the Crown, the Dignity and Authority of this House, and the Credit and Reputation of the House of Commons, concern'd in the Event of it. My Lords, The Proceedings of that House have been, in this Case, very remarkable and uncommon: They voted the Bishop guilty of High-Treason the very first Thing they did; and it was reasonable to expect, that the Consequence of that Vote would have been an Order for an Impeachment in Parliament, or a Prosecution in the ordinary Course of Law. But, my Lords, we see they have taken another Method, and that without weighing what the Consequences might be. They have taken a Method, whereby they have made themselves both Judges and Accusers. They could not, as Judges, decently proceed against the Bishop, without hearing him, and therefore they gave him a Day for that Purpose, and thereby they discover'd the Dilemma into which they had run themselves. They found themselves oblig'd to hear him, and yet they could not acquit him, because they had already prejudg'd him. It is not therefore to be wonder'd that they have pass'd this Bill; though, I believe, they would be very well pleas'd your Lordships should reject it, that the Know-

ledge of their having taken so wrong a Step, might the sooner be forgotten.

My Lords, a great deal has been said, and surely too much cannot be said, to shew that this Bill is an Infringment upon the Authority of this House. It becomes your Lordships to support your Dignity, and to shew a suitable Resentment, when the least of your Privileges is invaded. Your Lordships, upon this Occasion, would do well to follow the Example even of this very House of Commons: How contemptuously did they throw out a Bill lately sent them, because they thought it look'd like a Money-Bill? And will your Lordships suffer them to share your Authority, to become Judges equal with your selves, when there is no Necessity for it? In this Case, it is manifest, there can be no Necessity, because the Bishop is amesnable to Justice: He has been confined several Months; he is now strictly guarded; and, no doubt, the Zeal of the Governor will prevent his Running away. But, my Lords, if it could be supposed that this Bill did not affect your Lordships Authority; yet if it affects the Honour of the Crown, I am sure, it will raise a becoming Indignation in us all against it. This Bill, if your Lordships pass it, will put his Majesty under the unavoidable Necessity of refusing the Royal Assent to it, or of condemning one of his Subjects, a Lord of Parliament, and a Bishop of that Church of which his Majesty is Guardian and Protector, in a Case at least doubtful; and that without hearing one Word, either of the Charge, or of the Defence. My Lords, It hath been often said, (I wish it were said without Grounds) that we have a disaffected Party amongst us. I am persuaded, it is far from the Intention of any Lord here, to advise his Majesty to do any Thing that might possibly increase that Disaffection: But whether the passing of such a Bill against a Bishop of the Church of *England*, unheard, may not give a handle to the Clamorous, to raise an Odium against his Majesty's Administration, is submitted to your Lordships. His Majesty's great Clemency and Mercy are known to all the World; and he has been in nothing more Conspicuous, than in the Exercise of those Royal Virtues: Supposing, then, your Lordships should pass this Bill, how can you ever hope for the Royal Assent to it? These Objections, that concern the King, appear to me unanswerable, not only with Regard to this Bill, but to all Bills of Attainder in

in general. I think they ought never to be allow'd, but when the Offender flies from Justice, or is in open Rebellion; and then perhaps, the Notoriety of the Fact may be some Excuse for the Extraordinarinesſ of the Proceeding.

My Lords, I expected to have heard from that Reverend Bench, many Arguments of another Kind against this Bill, which are properly within their Sphere, and which I am sure they are perfect Masters of. The old Champions of our Church used to argue very learnedly, 'That to make or to degrade Bishops, was not the 'Business of the State; that there is a spiritual Relation between a Bishop and his Flock, deriv'd from 'the Church, with which the State has nothing to 'do.' But this Bill deprives the Bishop of that spiritual Relation, without the Concurrence of the Church. The Parliament alone does it; and it must be own'd, that if the Parliament can do it, they can as well make a new one in his Room; and a Clause for that Purpose, added to this Bill, would as effectually do the one as the other. What the Thoughts of our Reverend Prelates are upon this Points, does not yet fully appear; something of their Conduct intimates, as if our old Divines were mistaken: But be that as it will, as the Judgment of our Prelates will carry great Weight, and as the Reasons for such their Judgment, must needs be convincing, I do not doubt but they will give your Lordships full Satisfaction, before this Debate comes to a Period. In the mean Time I speak my Concern, that if Acts of Parliament are made to interfere with Church Affairs; if Bishops are to be put in or turn'd out at Pleasure; and all this to be done without the Concurrence of the Church, the World abroad may, tho' unjustly, look upon our Church as a Creature only of the State, and treat our Bishops, as if they were no more than State Officers. I hope, however, from the Courage, Zeal, and Conduct of our present Reverend Prelates, whatsoever becomes of this Bill, that they will be able to wipe off any such Scandal: They certainly have the Honour, the Dignity, and Authority of our Church always at Heart, and every Thing tending to her Interest, they will most zealously promote. But whether the passing of this Bill will promote her Interest, or be of any Service to her, they best know: For my Part, I cannot even guess at any Advantage she possibly can receive by it, unless it be this, That it will

make the Bishoprick of *Rochester*, and the Deanary of *Westminster* to become vacant.

My Lords, This Bill carries in the Frame of it, an invincible Objection to it; for the Preamble and the enacting Part, the Crime and the Punishment, bear no Proportion to each other. The Preamble contains a Charge of High Treason against the Bishop; and pray my Lords, Why should he not be punish'd accordingly? Is it because he is a Bishop of the Church of *England*, or a Lord of Parliament, or in high Favour with the King or his Ministers? I have not heard that the Bishop hath been at Court of late; but be it either of these, it will be so far from being a Reason for mitigating his Punishment, that it ought, if possible, to increase it. My Lords, our Laws have wisely taught us to have a just Abhorrence of High Treason, and have ordain'd for it the severest Punishment that *English* Clemency will admit of; and shall he, who has been voted the principal Contriver and Director of this most horrid and detestable Treason, escape with a Punishment less than his Crimes deserve, and that too, in full Parliament? Methinks, if it were necessary, that the Legislature should interpose in this Case, the Heinousness of the Offence should fire their Resentment; and instead of abating the Punishment, should put them upon heightening it with all the Circumstances of Severity, that their Wisdom could contrive. As in the Case of the late *South-Sea* Directors. No one will say, but that they might have been punish'd as Cheats, without the Help of an Act of Parliament; but as the Punishment ordain'd by our Laws, for such Offences, came not up to the aggravating Circumstances of their Guilt, a Law was made to punish them on Purpose; and they were very justly stripp'd of their Estates, who had before so notoriously cheated, bubbl'd, and beggar'd the whole Nation. What Reason then can be given, why the Bishop should not be punish'd, at least, equal with others, in Cases of High Treason? Why truly, the Want of legal Evidence, is the only Reason pretended: A Reason! in my Apprehension, so very mean and trifling, that it ought not to have been heard in the supreme Judicature of a Nation, without the severest Censure, and such as would well become your Lordships to treat with the utmost Indignation and Contempt.

For,

For, my Lords, Is it come to this at last, that after so much Grimace, so much Noise and Stir, after committing the Bishop for High Treason, after voting him a Traytor, and treating him as such, must it at length come out, that there is no legal Evidence against him! To palliate the Matter a little, a Distinction is endeavour'd to be made between legal Evidence and real Evidence, or between such Evidence as our Law requires, and such as in natural Justice and Equity ought to be admitted. But, my Lords, this is a Distinction entirely without a Difference; for what is Evidence of a Fact before any Judicature whatsoever, but such Testimony as the Nature of the Case requires, to induce a moral Certainty of the Truth of the Thing testify'd: The greater or less Consequence the Case is of, the more or less Proof is requir'd to induce such Certainty. Thus in ordinary Matters, barely to prove a Hand-writing is held sufficient Evidence; because in such Cases, it is not to be suppos'd, the Hand-writing should be counterfeited: In other Cases, seeing the Party write, is necessary to be prov'd; and still as the Weight of the Case increases, stronger Proof is requir'd. Ever since the Reversal of the Attainder of Colonel *Algernoon Sidney*, the proving of Treason, by the proving of Hand-writing, hath been with great Justice condemn'd; And why, I pray? But because there can be no Hand-writing but what will admit of a Counterfeit; and nothing that is capable of being counterfeited, carries with it such a Degree of Certainty, as is necessary where a Man's Life and Fortune is concern'd. My Lords, legal Evidence is nothing else but such real and certain Proof, as ought in natural Justice and Equity, to be receiv'd; and therefore the Oath of one credible Witness, being certain and sufficient to induce a Belief of the Thing he swears, is legal Evidence; and yet so tender is our Law, so great a Degree of Certainty doth it require, that as it now stands, two positive Witnesses are requir'd to convict a Man of High Treason. This however, hath been preposterously enough urg'd, to shew a Difference between legal and real Evidence; and Sir *John Fenwick's* Case hath been cited for the same Purpose. But this, with Submission, shew no Difference at all; for will any one say, that one credible Witness is not legal Evidence? Can any Court in the Kingdom, upon a Tryal of High Treason, refuse to hear such Evidence? And is

not

not such Evidence sufficient too in all Cases, where some positive Law, for the greater Certainty, doth not require more?

One of the learned Gentlemen at the Bar, (I suppose, out of pure Zeal for the Bill, and not with a Design to misguide his Audience) did roundly affirm before your Lordships, that no Evidence, strictly speaking, was legal, but what was *Mathematical*. I am confident, that Gentleman would not have given this as his Opinion, under his Hand at his Chamber, because he knows it is directly contrary to Truth: He knows very well, that no Offender, that puts himself upon his Tryal, can be convicted, but upon the Oath of one or more Witnesses; he dares not deny, but that such Conviction is founded upon legal Evidence, strictly so speaking; and no one will pretend to say, that any Evidence of Witnesses can be call'd Mathematical. But the Gentleman goes on, and says, that the Evidence for this Bill is legal, in the general Sense of the Word: On the contrary, I beg Leave to affirm, that it is not legal in any Sense whatsoever. No Act of Parliament hath made it legal, nor can it in natural Justice and Equity, be call'd so, for want of sufficient Certainty; and indeed, it hath been admitted throughout this Debate, and even by the Counsel who spoke first or this Bill, that it is not supported by legal Evidence. But this Gentleman was pleas'd to go still further; for he affirm'd before your Lordships, that Depositions taken in writing, were not Evidence in any Court of Law. My Lords, it is Pity that in so *fine a Speech*, there should be so much *false Doctrine*: It is very true, that the Law doth require the best Evidence that the Nature of the Case will admit of; and therefore will not suffer the Depositions of a Witness in Writing to be read, where such Witness can be examin'd *viva voce*: But that Gentleman could not but know, that where such living Witness is not to be had, his Depositions in Writing are never refus'd, nor any other Evidence, that in natural Justice and Equity, can tend to discover the Truth of the Fact in Question with Certainty.

My Lords, the Wisdom and Goodness of our Law appear in nothing more remarkably, than in the Perspicuity, Certainty, and Clearness of the Evidence it requires, to fix a Crime upon any Man, whereby his Life, his Liberty, or his Property may be concern'd: Herein

Herein we glory and pride ourselves, and are justly the Envy of all our neighbour Nations. Our Law in such Cases, requires Evidence so clear and convincing, that every By-stander, the Instant he hears it, must be fully satisfy'd of the Truth of it: It admits of no Surmises, Innuendoes, forc'd Consequences, or harsh Constructions, nor any thing else to be offer'd as Evidence, but what is real and substantial according to the Rules of natural Justice and Equity.

These are the Rules the Judges go by, nor have they any other in determining what is, or what is not to be admitted as Evidence before them; and therefore to say, that the Law refuses such Evidence as is real, and ought in natural Justice and Equity to be admitted, is to cast an Imputation upon the Law; which is not only unjust, but entirely groundless. My Lords, I think sufficient hath been said, to shew the Mistake of those noble Lords who have endeavour'd to distinguish between legal and real Evidence. The Distinctions that have been made, and the Instances that have been produc'd, shew only, what legal Evidence is sufficient for Conviction, and what not; and if that were the Question now before your Lordships, it would deserve another Consideration.

The present Question is, whether any Evidence at all has been offer'd to your Lordships to fix Treason upon the Bishop of *Rochester*? And for my part, my Lords, I am clearly of Opinion, that you have had no such Evidence: It is on all Hands agreed, that no legal Evidence of Treason has been offer'd against him; and I hope I have sufficiently satisfy'd your Lordships, that if it be not legal Evidence, it is not real Evidence, or such as in natural Justice and Equity ought to be admitted, and consequently, no Evidence at all. My Lords, the Counsel for the Bill have not attempted to prove positively against the Bishop any one single criminal Act: The Circumstances that they have offer'd, are, in my Opinion, so far from affecting him, that they carry in them no Appearance of Guilt in him whatsoever. If indeed, there had been any one positive Witness against him, your Lordships, perhaps (as was done in Sir *John Fenwick*'s Case) might, with some Appearance of Reason, have admitted Circumstances in Support of such Witness, rather than a Man of the Bishop's Rank and Character, should go unpunish'd; and indeed, I think, no Man's Cunning ought to be a Protection for his Vil-

Villany; and I hope, and do not doubt, but all Traytors will, one Time or other, meet with their just Rewards. But, my Lords, in the Case before you, the whole Charge is built upon Circumstances, and these are said to be supported by other Circumstances; but all of them are so remote, so general, and I may say, so inoffensive, that they might suit any Lord here, as well as the Bishop; for there is not one single Circumstance of them all, such as in its Nature would be admitted as Evidence of any Crime against any Man in any Court in the Kingdom.

To come, my Lords, to Particulars. The Treason charg'd upon the Bishop is, That he dictated *Kelly* to write the three Letters dated the 20th of *April*, 1722, sign'd *Jones*, *Illington*, and 1378. And in Maintenance of this Charge, 'tis said, that those three Letters were of the same Hand-writing with another Letter produc'd before your Lordships, and dated the 20th of *August* following. That from the 20th of *April* to the 20th of *August*, Letters were continually sent abroad in the same Hand-writing; that these Letters contain'd a treasonable Correspondence; that they are the Hand-writing of *Kelly*; that *Kelly* had been with the Bishop two or three Times within these two or three Years past; that there are Circumstances in the Case of *Jones* in this Correspondence, that suit with the Case of *Illington*; and Circumstances in the Case of both, that suit with the Bishop. These are the Facts that are the main Foundation upon which the Bishop's heavy Charge is built; and surely it well behoves your Lordships to consider seriously how they are prov'd, and in what Manner, and with what Degree of Certainty they affect him.

The three Letters taken simply, carry no Treason in them; they have not yet been decypher'd into Treason, and were it not for a Name in the Direction of one of them, which is said to be a cant Name of the Pretender's, they probably might have pass'd as harmless undesigning Letters: Will your Lordships therefore suppose, that the Writer directed his Letter to the Pretender by the cant Name of *Jackson*, when yet it does not appear that he ever knew the Pretender had such a cant Name? Ought we not rather to suppose in Favour of Innocence, that the Letter was not intended for the Pretender, but for one whose real Name it bears? These cant Names, and the Art of the Decypherers, have been

been the Means made Use of to make this Correspondence treasonable; but will it not be thought hard that a Man must be conjur'd into Treason by a Magick Art, that none of us understand, and by a Parcel of Names, that the wisest of us are not yet able to discover whether they were design'd for cant Names, or for real ones? To make the Matter clearer, the Clerks of the Post-Office are call'd, and they prove, that the several Letters, produc'd before your Lordships, are true Copies of original Letters sent abroad as directed; which Originals, according to the best of their Judgment and Belief, are the same Hand-writing with the Letter of the 20th of *August* above-mention'd. This Judgment and Belief of theirs is founded without comparing any two of these Originals together, or without pretending to say whose Hand-writing they are, or to whom they belong. My Lords, I have already observ'd, that the proving of a Hand-writing is at best but Evidence too precarious and uncertain to make good a Charge of so weighty a Nature as this in Judgment before you; but I cannot help taking Notice, that the Proof of these Letters, so as to make them treasonable, is still more precarious, more uncertain and slippery, than any thing of the Kind I ever met with. The usual Way to prove a Hand-writing, so as to fix a Charge upon the Writer, is, for the Witness to swear, that he hath frequently seen the Party write, or that he hath corresponded with him, and receiv'd several Letters from him, and therefore is very well acquainted with his usual Character and Way of Writing; and then the Writing itself is produc'd, the Witness swears to it, and the Import of it is discover'd by every By-stander. But here, these Post-Office Clerks are forc'd to call in Aid, a Messenger and a Servant, to fix the Hand-writing of the Letters they produce; the Letters themselves are unintelligible, and therefore the Assistance of the Decypherers, and some cant Names must be added, before they can wire-draw Treason out of them! My Lords, these Decypherers refuse to give your Lordships any Reason for the Construction they have made; they shelter themselves, by saying, that to give you a Reason, would be to discover their Art; happy Art indeed, that shall enable the Artist to swear a Man into High Treason, and yet it shall not be in the Power of the accus'd Person to disprove him! I do not find that these Gentlemen pretend to act by unerring Rules; they

themselves own they may be mistaken; and therefore until your Lordships are let further into their Secret, you will judicially look upon the Art of decyphering to be no more than the Art of guessing, and esteem him that guesses best, to be the best Decypherer.

The Messenger and Servant that have been called, to finish the doubtful Evidence of this Hand-writing, and to fix it upon *Kelly*, are far from giving your Lordships such an Account of it, as can induce you to believe they are sufficiently acquainted with it; they do not pretend to say, that they have been frequently accustomed to see or observe him write, or that they ever receiv'd any Letters from him, or ever were privy to any of his Correspondences; these Things, one would have thought, might easily have been proved against a Man of *Kelly*'s great Dealing and Acquaintance, in as full and clear a Manner, as the Nature of the Thing would admit of. Your Lordships then are pleased to observe, that the Evidence offered to prove this Hand-writing, so as to make it criminal, consists of three distinct Branches, supported by three different Sets of Witnesses; and that each of these three several Sets have given a very lame, doubtful and obscure Evidence; but if their Evidence had been ever so full and positive, yet I must beg Leave to insist, that it is such as is in its Nature dubious and uncertain, and therefore in a Case of this Consequence, ought not to be rely'd on. This will appear still the plainer from the different Opinions observable among the different Witnesses, insomuch that I may well venture to say, your Lordships are as yet at a Loss by whom these Letters were wrote; but if you will have any Regard to Numbers, and to the Nature and Circumstances of the Testimony given by those Numbers, the Evidence is much stronger, and more clear and convincing, that they were not wrote by *Kelly*, than that they were; and if they were not wrote by him, it will become your Lordships to consider carefully what you are a doing; for then the Foundation of this Bill will be sapp'd, and of Course the whole Fabrick must fall to the Ground.

But, my Lords, supposing these Letters were really the Hand-writing of *Kelly*, that they were of that treasonable Signification that the Decypherers contend for, and that the Names mention'd in them, did not belong

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to real Persons, but were cant Names to denote the Pretender and his Agents; I say, my Lords, supposing all this true of *Kelly*, how will it affect the Bishop? Might not *Kelly* write these Letters, and carry on this Correspondence without the Bishop's Direction? Must the Bishop answer for *Kelly*'s Crimes, because *Kelly* happens to be a Nonjuror? Or because he was employ'd to buy Gloves and Stockings for the Bishop, must your Lordships therefore infer, that he was employ'd to write Treason for him? Suppose *Kelly* had actually liv'd in the Bishop's Family as his Secretary; Have we not seen, not many Years since, even a Jesuit a Bishop's Domestick without Offence? Give me Leave, my Lords, to carry this Point a little further: Has any thing been offer'd to induce your Lordships to believe, that *Kelly* saw the Bishop, or heard from him for several Months before this Correspondence began? Has any one Word been said or Hint given, either from cant Names, or decypher'd Letters, or any otherwise howsoever, tending to that Purpose? Nay, my Lords, Have not you had as much Evidence as the Nature of the Thing is capable of, that the Bishop could not dictate, nor *Kelly* write, those Letters, at any Time near the Time of their Date? And if they were dictated by the Bishop, it must be about that Time, because the Circumstances mention'd in the Letter, would not suit him at any other Time. And here, my Lords, it is proper to observe, that the Managers for the Bill, when they were to apply the Circumstances of *Jones* and *Illington*, in the Letters, to the Bishop's Case, they built the Whole of their Arguments upon the Date of those Letters; but when they saw that the Bishop had fully prov'd that it was impossible he could dictate them at that Time, why then truly, they vary their Charge, and say, that it was not his dictating the Letters at that Time, but his dictating the Letters of that Date, that they contended for; and they tax the Bishop with a partial and a fallacious Defence, for applying it to the Time, and not to the Fact. But I think, with great Submission, that the Bishop has made a very just Defence: I think, he could not have made a better; and under the Disadvantage of proving a Negative, I think, it was almost impossible he should have made one so good. For your Lordships well remember, he was charg'd as the Author of the Letters sign'd *Jones* and *Illington*, because he was under the Circumstances of *Jones* and *Illington*, at the

Time of the Date of those Letters: But the Bishop hath fully prov'd, that he could not be the Author of them at that Time; and if he were not at that Time, he could not be so at any other Time; for take away the Date of those Letters, and the Relation between *Jones* and *Illington*, and the Bishop, you must of Course take away likewise. But then, as your Lordships are as yet at a Loss when or by whom these Letters were either dictated or wrote, shall the tallying of a few Circumstances in them with the Bishop's Case, supposing them to be wrote about the Time of their Date, make him guilty of High Treason; especially when his Counsel have shew'd us, from the Letters themselves, as many Instances wherein they differ'd? Must Mrs. *Jones* and the Bishop's Lady signify the same Person, because they dy'd about the same Time? Or must Mrs. *Jones* and Mrs. *Illington* signify the same Person, because by a Letter wrote, no one knows by whom, or when, Mention is made of the Death of one Mrs. *Jones*, and another Letter condoles the Death of one Mrs. *Illington*? Or is the Bishop guilty of High Treason, because he is suppos'd to be meant by *Jones* or *Illington*, when yet, through the whole Correspondence, there is no Treason committed either by *Jones* and *Illington*? But admitting, that all the Circumstances that have been produc'd against the Bishop, hit him so exactly, that it was morally impossible they could mean any Body else; yet still, my Lords, what has the Bishop to do with it? Might he not be thus describ'd, and thus spoke of, and yet know nothing at all of the Matter? And if he is thus to suffer for what another Man may have said of him, I am sure he is the first, and I hope he will be the last, that ever will be distinguish'd in so extraordinary a Manner. The Sum then of all the Circumstances that have been offer'd as Evidence against the Bishop, amounts to this: Here have been a Parcel of cant Names produc'd and made Use of against him, which, for ought appears, he never heard of. Here have been Letters produc'd, and read against him, wrote in Cyphers, and of a Hand-writing not pretended to be the Bishop's, and of which your Lordships have as yet had no Manner of Certainty. A Construction hath been put upon these Letters, which, in several Circumstances, hit the Bishop, and in several other, miss him: But amongst all these Circumstances there is not the least Hint of any Word said, or Action

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done by him, relating to this Conſpiracy, from firſt to laſt; nor doth it appear, that he was ever privy to it, or ſo much as heard of it, 'till it was known to all the World. And yet, my Lords, theſe, and ſuch as theſe, are the Circumſtances whereby the Biſhop is to be *gueſſed into High Treaſon*; but I hope your Lordſhips will be very cautious how you make Precedents of ſuch wretched *Gueſs-work*. The celebrated Letter of *Dubois*, now before you, is a notable Proof of the Neceſſity of ſuch Caution; for we ſee the grand Promoters of this Bill, cannot agree in their Conſtruction, or they have at leaſt chang'd their Opinions about that famous Letter.

The Uncertainty of this Way of Gueſſing, puts me in Mind of ſome remarkable Circumſtances relating to the renown'd Mr. *Neynoe*, which I had like to have forgotten, and which, though they ſeem to be under the Misfortune of being ſlighted here, do yet in the Report of the Committee of the Houſe of Commons make a very conſiderable Figure. Thoſe Circumſtances of *Neynoe* in that Report, appear to be not only the Foundation of the Charge againſt *Kelly* and the Biſhop, but even the Foundation of the Plot itſelf; and the Art and Management with which they are there dreſs'd up, do well deſerve your Lordſhips Attention. It ſeems, my Lords, this worthy Man had been examin'd four ſeveral Times; his Examinations were taken in Writing, and contain'd an hiſtorical Account of the carrying on of this Conſpiracy. The learned Committee, at the ſame Time they would repreſent him as a vile and infamous Fellow, and would be thought to look upon his Examinations as inſufficient, do yet open their Scene with this very Account, and build entirely upon it. But, would any one believe, that *Neynoe* has never ſworn to, or ſo much as ſign'd, any one of theſe Examinations? Can any Body think that he was not requir'd to do one or both? Does not every Body know, that they would otherwiſe be of no Uſe? May we not therefore reaſonably ſuppoſe, that he refus'd to do either the one or the other? And can any Reaſon be given for ſuch Refuſal, but that they were not true?

My Lords, the Committee were well aware, that great Objections would be made to this Kind of Evidence, and therefore they have added to it ſome circumſtantial Hearſays, which they call the corroborating and con-

current Proofs of *Neynoe*'s Testimony. But pray, my Lords, what are these corroborating and concurrent Proofs? Why they are of this Kind, one Man heard another Man say, that a third Man was concern'd in this Conspiracy. Behold then, the Sum of the Argument: *Neynoe*'s Examination is admitted of itself to signify nothing; the same likewise cannot be deny'd of *Pancier*'s Hearsay; But however, both these Nothings make up something to prove the Plot, because they are the corroborating and concurrent Proofs of each other. And thus the learned Committee have so contriv'd it, that they have made these Examinations of *Neynoe* to be of more Use, and to serve their Purpose better, than if *Neynoe* himself had been now living, and produc'd before your Lordships; and therefore it looks as if it were prophetically known, that the Man intended to hurl himself out of the World with a Winding-Sheet. But however that be, it is Matter of Surprize, that these Examinations, which the Committee treated so respectfully, should now by the Counsel be so slighted, that they have scarce mention'd them, but as if they were asham'd of them; and yet they are as good Evidence as any that have been offer'd in Favour of the Bill now before your Lordships.

But, my Lords, in the Course of this Debate, it hath been warmly urged, that though there be not legal Evidence against the Bishop, yet that all the Circumstances that have been offer'd against him, are sufficient to convince any Man in his private Judgment, that the Bishop is guilty. Nay, it hath been said, that these Circumstances put together, are stronger and more convincing, than any positive Evidence whatsoever; and therefore that no one can doubt of the Bishop's Guilt, though some, out of Compassion, or good Nature, might be induc'd to vote in his Favour. How strong and convincing, or rather how impertinent and trifling these Circumstances are, I have already observ'd to your Lordships; and I must say, it was not without a good deal of Concern, that I heard *That* urg'd as the Result of Judgment, which could have no other Foundation than in Opinion only. But, my Lords, this is not the first Instance wherein I have observed Judgment and Opinion to be confounded and mistaken the one for the other, and that too, in a very gross and dangerous Manner. My Lords, Mens Opinions, generally speaking, are

are nothing else but their Fancies or Imaginations, and are usually grounded upon personal Pique, or party-Prejudice. These are weak and slender Foundations, and have nothing to do, and I hope, in *England*, never will have any thing to do, where a Man's Life, his Liberty, or his Property is concern'd. But, my Lords, a Man forms his Judgment according to the Evidence that is offer'd him, that alone is his Rule; and as the Perspicuity or Uncertainty of that appears, Justice requires a Determination accordingly: The Compliment therefore upon the noble Lords that have appear'd against this Bill (if it was intended as a Complimement) carries a very severe Sting in the Tail of it, as it supposes those noble Lords to be possibly capable of giving an unjust Judgment. My Lords, the Earl of *Strafford* lost his Head for accumulative Treason. A great many Facts were laid to his Charge, and tho' it was agreed on all Hands, that none of them singly amounted to Treason, yet it was insisted on, that all of them put together, shew'd an Intention in him to subvert the Government, and therefore that he was a Traytor. The Torrent of those Times taught Men to argue, that tho' the Charge against the Earl did not contain legal Treason, yet it was morally impossible that he could commit the Crimes contain'd in that Charge, and not intend the Destruction of the State; that the Facts by him done, shew'd him more a Traytor than any positive Act of Treason could do; and that if Men were satisfy'd in their private Opinions, that the Earl was, in the main, guilty of Treason, he ought to suffer accordingly. My Lords, this was the Reasoning of those Days; a Reasoning, which, I hope, your Lordships will neither imitate nor encourage, because it was the Foundation of those Proceedings against that Great Earl, which were soon after in full Parliament so justly branded; and if future Parliaments should not be able to discover any Difference between the Inconveniences arising from accumulative Evidence, and accumulative Treason, May they not with great Justice censure us, by condemning the one equally with the other? That which was then call'd accumulative Treason, was afterwards adjudg'd to be no Treason, and I hope, your Lordships will yet adjudge this accumulative Evidence to be no Evidence: I am sure you will not punish a Man in the severest Manner, until you have had some Reason given you, why you should

should punish him at all. You will not first believe a Man a Criminal without Proof, and then admit a criminal Construction to be forc'd upon every innocent Action, only to support such Belief. You will not adjudge a Man guilty of the highest Crime against the Law, when his Prosecutors themselves own, they cannot make good any one Branch of their Charge according to Law.

The Bishop's Case must be own'd to be very hard, and the Evidence against him very weak, when his own Letter to his Son, and the Letter to *Dubois* are put to the Torture to help out the Charge against him. As for the Letter to *Dubois*, it is amazing to consider that such Pains should be taken from a Similitude of a broken Impression on Wax with a whole one, and a Similitude of two little *e's*, to fix it upon the Bishop; which, when fix'd, can serve no Purpose at all against him; for that Letter hath neither Date, Subscription, Cypher, nor cant Name in it; and for ought appears, may have been wrote before the Man was born whom they would mean by *Johnson* therein nam'd. Nothing treasonable is pretended to be guess'd out of it, nor, for ought appears, was it ever seen by any one besides the Writer; and yet because it is there said, that the Writer wrote something, (no one knows what, or when, or to whom) in the Hand of one Mr. *Johnson*, your Lordships are persuaded to infer, in Opposition to the positive Evidence of all the Bishop's Family, that *Kelly* was an Intimate of the Bishop's, and employ'd to write his Treasons. The Use that is made of the Bishop's Letter taken from his Servant, is still more extraordinary. I have indeed, too often observ'd doubtful Actions, by the Help of bold Innuendoes construe'd criminally; but to give that in Evidence which was neither said nor done, to innuendo Silence itself into High Treason, is entirely new, and the learned Counsel deserve the Glory of the Discovery. But the Bishop's Case will still appear the harder, when it is consider'd, that such Stress hath been laid upon such remote and distant Circumstances in Favour of this Bill, and at the same Time your Lordships wer not pleas'd to receive on the the Bishop's Behalf legal Evidence, real Evidence, and such as in natural Justice and Equity, ought to have been admitted.

The Bill that hath lately passed both Houses against *Kelly*, doth not hinder him from being still a Witness; for

for it hath not yet had the Royal Assent, and perhaps never may; but if it had, there is, as I apprehend, nothing in that Bill, that will take away his Testimony in any Court in the Kingdom. But be that as it will, I must beg Leave to insist, that he is at present a good Witness, and as every Body is satisfied that it was in his Power to clear up this whole Affair. Who knows what the Awe of an Oath might have extorted from him? He appears to be a Man under the Influence of Conscience; for his refusing the Oaths to the Government, and thereby suffering his Subsistence to be taken from him, is a manifest Proof of it. If therefore your Lordships had permitted *Kelly* to be produced when the Bishop call'd for him, something probably might have been discover'd to have ascertained either the Bishop's Guilt or his Innocence. But as his Case now stands, the Evidence of his Guilt appears very dark, and, for ought I can observe, is like to continue so. My Lords, I have now done; and if upon this Occasion, I have tired your Patience, or discovered a Warmth unbecoming me, your Lordships will impute it to the Concern I am under, lest, if this Bill should pass, it should become a dangerous Precedent for After-Ages. My Zeal, as an *Englishman*, for the Good of my Country, obliges me to set my Face against Oppression in every Shape; and where-ever I think I meet with it (it matters not whether one Man or five hundred be the Opressors) I shall be sure to oppose it with all my Might: For vain will be the Boast of the Excellency of our Constitution; in vain shall we talk of our Liberty and Property secur'd to us by Laws, if a Precedent shall be establish'd to strip us of both, where both Law and Evidence are confessedly wanting. My Lords, upon the whole Matter, I take this Bill to be derogatory to the Dignity of the Parliament in general, and to the Dignity of this House in particular; I take the Pains and Penalties in it, to be much greater, or much less, than the Bishop deserves; I take every individual Branch of the Charge against him to be unsupported by any Evidence whatsoever. I think there are no Grounds for any Opinion of the Bishop's Guilt, but what arise from private Prejudice only; I think, private Prejudice has nothing to do with judicial Proceedings, I am therefore for throwing out this Bill.

Proceedings of the Third Session of the Sixth Parliament of Great Britain, in the Eleventh Year of King George's Reign.

THIS Parliament being met according to their last Prorogation, on Thursday the 12th Day of *November*, and the King being come to the House of Peers, with the usual State and Solemnity; and the Commons sent for up and attending, the Lord Chancellor, by his Majesty's Command, read his Majesty's Speech to both Houses as follows:

My Lords and Gentlemen,

I Am perswaded, you share with me in the Satisfaction I feel at the prosperous Situation of Affairs: Peace with all Powers abroad; at Home, perfect Tranquility, Plenty, and an uninterrupted Enjoyment of all Civil and Religious Rights, are most distinguishing Marks of the Favour and Protection of the Divine Providence. And these, with all their happy Consequences, will, I doubt not, by the Blessing of God upon our joint Endeavours, be long continu'd to my People.

The same Provision by Sea and Land, for the Defence and Safety of the Nation, will continue to make us respected abroad, and consequently secure at Home. The same Attention to the Improvement of the publick Revenues, and to the Ease and Encouragement of Trade and Navigation, will establish Credit upon the strongest Basis, and raise such a Spirit of Industry, as will not only enable us gradually to discharge the National Debt; but will likewise greatly increase the Wealth, Power, and Influence of this Kingdom.

Gentlemen of the House of Commons,

I have order'd the proper Officers to prepare and lay before you Estimates of the Expences for the Service of the ensuing Year; and, as they do not exceed what has been found by Experience to be absolutely necessary for the Security of the Kingdom, I make no Question but I shall have your ready Concurrence in raising the Supplies, in such Manner as shall be most easy to my People.

There is one Thing that I cannot but mention to you, as deserving your particular Consideration. It is too manifest, that the Funds establish'd for the finishing the Works at *Greenwich* Hospital, and providing for a competent Number of Seamen there, cannot, in Time of Peace, be sufficient to answer the Expences of this great and necessary Work. It is therefore very much

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to be wish'd, that some Method could be found out to make a further Provision for a comfortable Support to our Seamen, worn out in the Service of their Country, and labouring under old Age and Infirmities.

My Lords and Gentlemen,

You must all be sensible how much our present Happiness is owing to your Union and steady Conduct. It is therefore wholly unnecessary to recommend to you Unanimity and Dispatch in all your Deliberations. The Zeal and Abilities you have on all Occasions shewn in supporting the Interest of your Country, even under the greatest Difficulties, leave no Room to doubt of my having your entire and effectual Concurrence in every thing, that can tend to the Service of the Publick, and to the Good of my People.

As soon as the King was withdrawn from the House of Peers, their Lordships immediately agreed upon an Address to his Majesty, which they presented in a Body, the next Day, as follows:

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal in Parliament assembled, beg Leave to return your Majesty our most humble and hearty Thanks for your Majesty's most gracious Speech from the Throne. Peace with all Powers abroad, perfect Tranquility and Plenty at Home, and an uninterrupted Enjoyment of all our Rights and Liberties, are such inestimable Blessings to us, as leave us no Room to wish for any thing more to compleat our Happiness, but for your Majesty's long Life and happy Reign over a most faithful and obedient People. We think ourselves in Duty bound to acknowledge this prosperous Situation of Affairs to be wholly owing to the Blessing of God on the wise Measures your Majesty has pursu'd for the true Interest of this Kingdom.

Your Majesty's tender and compassionate Concern and Care for the Seamen, who have by their Bravery, eminently distinguish'd themselves in the Service of their Country, in all Parts of the World, cannot but encourage all your Subjects to the strictest Performance of their Duty; and we must humbly beseech your Majesty to believe, that we shall at all Times exert ourselves with the same Zeal which has hitherto animated us in your Majesty's Service, for the Defence and Safety of the Nation; and that our chearful Concurrence shall never be wanting, whenever it lies in our Power, to advance

the true Interest of the Publick, and promote your Majesty's Glory.

His Majesty's most gracious Answer was as follows:

My Lords,

I Thank you for this very loyal and dutiful Address. You may depend on my steady Pursuit of such Measures only, as, by the Blessing of God upon my Endeavours, will most effectually secure the true Interest of all my People; and that I shall at all Times esteem the Increase of their Happiness, as the greatest Glory of my Reign.

The Commons being (the Day before) return'd to their House, and Mr. Speaker having reported his Majesty's Speech, Mr. *Thompson* mov'd for an Address of Thanks and Congratulation, which being unanimously resolv'd, a Committee was appointed to draw it up. The next Day (*Nov.* 13.) Mr. *Thompson* reported the said Address, which was agreed to *Nemine contradicente*, and on Saturday the 14th, presented to his Majesty by the whole House, and is as follows:

Most Gracious Sovereign,

YOUR Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, return your Majesty the Thanks of this House for your Majesty's most gracious Speech from the Throne; and as your Majesty's Fatherly Tenderness for your People, and the unspeakable Comforts of an easy Government, demand the sincerest Tribute of Duty; your Majesty's faithful Commons do now offer to your Majesty their most unfeigned Assurances of Gratitude and Loyalty, with that becoming Zeal and Affection that is particularly requisite at this Time.

We beg Leave to congratulate with your Majesty on the prosperous Situation of Affairs at Home and abroad; a Subject not only of Content but of Joy: And we should be wanting to ourselves, and insensible of our own Prosperity, if we did not feel the same Satisfaction in reaping the Fruits of your Majesty's great Wisdom, that your Majesty hath in employing it to direct and guide us to our own Happiness.

Peace with all Powers abroad, Plenty and Tranquility at Home, with a full and quiet Enjoyment of every thing that is dear and valuable to us, are peculiar Marks of your Majesty's Government; which that they may be for ever remembred, this House will use their utmost

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Endeavours, by the Divine Assistance, to transmit the happy Consequences of these Blessings to the latest Posterity, as Monuments to Futurity of the Glories of your Majesty's Reign.

To support the Interest and Credit of our Country, is to pay the most acceptable Obedience to your Majesty, and therefore this House will proceed with all Chearfulness and Dispatch in raising such Supplies as shall be necessary for the Honour and Safety of the Nation: We will labour to discharge gradually the National Debt, by the Improvement of the Publick Revenues; to increase our Wealth, by the Advancement of our Trade; and to establish our Strength, by the Encouragement of our Navigation; and are ready heartily to assist your Majesty in every thing that shall tend to the Security and Grandeur of your Majesty and your Kingdoms.

To this Address his Majesty return'd the most gracious Answer following, *viz.*

Gentlemen,

I Return you my hearty Thanks for your loyal Address; I never made any Doubt, but that whenever the Honour and Interest of the Kingdom call'd upon you, I should meet with the same Return of Duty and Fidelity, and the same Affection and Zeal for my Service, as I have hitherto experienc'd on all Occasions.

On the first Day of their Sitting, the Commons having voted the Address abovemention'd, settled their five grand Committees, and made the usual Orders, order'd their Speaker to issue out his Warrants for five several Writs for electing as many new Members, *viz.* 1. A Knight of the Shire for the County of *Cambridge*, in the Room of the Right Honourable *Edward Harley*, Esq; (commonly call'd Lord *Harley*) now Earl of *Oxford* and Earl *Mortimer*, call'd up to the House of Peers. 2. A Burgess for the Borough of *Blechingly* in the County of *Surrey*, in the Room of *George Evelyn*, Esq; deceas'd. 3. A Burgess for *Stafford* in *Staffordshire*, in the Room of *John Dolphin*, Esq; deceas'd. 4. A Burgess for *Newcastle under Line* in *Staffordshire*, in the Room of Sir *Bryan Broughton*, Bart. deceas'd. 5. And a Burgess for *Liverpoole* in *Lancashire*, in the Room of the Honourable *Langham Booth*, Esq; deceased.

The next Day, *Nov.* 13. Thirteen Petitions about controverted Elections were presented to the House, read, and referr'd to the Committee; after which, Mr. *Speaker*

Speaker was order'd to issue out his Warrant for another new Writ for electing a Burgess for *Steyning* in *Sussex*, in the Room of *John Gumley*, Esq; who since his Election for the said Borough had accepted the Office of Commissary General of the Musters.

On the 14th, another Petition complaining of an undue Election for the Borough of *Clitherо* in *Lancashire*, was read and referr'd to the Committee of Privileges and Elections; And then a Motion being made, That a Supply be granted to his Majesty, the Consideration thereof was put off to the *Monday* following.

Upon that Day, *Nov.* 16. Two new Writs were order'd; one for Electing a Citizen for the City of *London*, in the Room of *Peter Godfrey*, Esq; deceas'd; the other for a Burgess for the Borough of *Malton* in *Yorkshire*, in the Room of Sir *William Strickland*, Bart. deceas'd. After this *a Bill* was order'd to be brought in *to prevent the Inconveniences that may arise by Mayors, or other chief Magistrates of Corporations absenting themselves on the Day of* Election *of any new Mayor or other Chief Magistrates of such Corporations*; and then, in a Committee of the whole House, the Commons consider'd of the Motion for Granting a Supply to his Majesty, which was unanimously resolved upon.

Nov. 17. Mr. *Farrer*, reported the said Resolution, which was agreed to, *Nem. Contradicente*, and it was then resolv'd to address his Majesty, for the several Estimates, List, and Accounts, relating to the Ordinary of the Navy; Half-Pay Officers of the Navy and Marines; Guards, Garrisons, and Land Forces; Ordnance for Land-Service; Regimental and Warrant Officers in Half-Pay, and Out-Pensioners of *Chelsea-Hospital*, for the Year 1725.

On *Wednesday* the 18th, some of these Papers were laid before the Commons, and after the Reading of some Petitions, it was resolv'd to address his Majesty, for an Account of the Services incurred, and not provided for by Parliament.

Nov. 19. The Commissioners of the Customs laid before the House the usual annual Accounts of Prohibited *East-India* Goods, and Naval Stores imported from *Russia*; and several other Papers, that had been call'd for, having been presented to the Commons, it was resolv'd to address his Majesty, for an Estimate of the Rebuilding and Repairs of Ships of War in his Majesty's Yards, over and above what is proposed to be done

done on the Head of Wear and Tear, and is not included in the Ordinary Estimate of the Navy, for the Year 1715.

On the 20th, after several Papers had been laid before the House, it was resolv'd to address his Majesty, for a State of the Debt of his Majesty's Navy as it stood at *Michaelmas* last; and then, in a Grand Committee on the Supply, it was resolv'd, 1st, That Ten Thousand Men be allow'd for the Sea Service, for the Year 1725. beginning from the 1st Day of *January* 1724. 2d. That a Sum not exceeding four Pounds *per* Man *per* Month, be allow'd for maintaining the said 10000 Men for thirteen Months, including the Ordnance for Sea Service; which Resolutions being the next Day reported, were agreed to by the House.

On *Monday* the 23d of *November*, several Petitions about controverted Elections were read, and referr'd to the Committee; after which, in a Committee of the whole House, the Commons consider'd further of the Supply. The several Estimates of the Charge of Guards, Garrisons, and Land-Forces, of the Forces in the Plantations, *Minorca*, and *Gibraltar*, of the Out-Pensioners of *Chelsea* Hospital, for the Year 1725, and of extraordinary Expences not provided for by Parliament, having been referr'd to the Committee, the Honourable Mr. *Pelham*, Secretary at War, open'd the Matter, spoke on those several Heads, shew'd the Necessity of keeping up the same Number of Guards, Garrisons, and Land-Forces, and in conclusion, moved for making the same Provision for them, for the Year 1725, as was made for this Year. This Motion was immediately seconded by several Members, but was opposed by Mr. *Plummer* and others, which ocasion'd a warm Debate, that lasted 'till about Four of the Clock in the Afternoon; and in which those that spoke for and against the Motion, were as follows:

For the Motion.	Against the Motion.
The Hon. Mr. *Pelham*,	Mr. *Plummer*,
Mr. *Treby*,	Mr. *Freeman*,
Sir *Edmund Bacon*,	Sir *William Barker*,
Major General *Wade*,	The Rt. Hon. Lord *Morpeth*,
Mr. *Yonge*.	Sir *Joseph Jekyll*,
	Mr. *Cornwall*,
	Mr. *Hungerford*,
	Mr. *Shippen*.

We will not Pretend to give our Readers all the Particulars of this Debate, but only a few material Passa-

ges.

ges. In the first Place, it must be observ'd, that the Gentlemen who oppos'd Mr. *Pelham's* Motion, were not all of the same Opinion, as to the Number of Troops, some being for reducing the Army to seven or eight thousand Men, as was done after the Conclusion of the Treaties of *Ryswick* and *Utrecht*, and others insisting only on the Disbanding of the 4000 Men rais'd upon Occasion of the late Conspiracy. A Gentleman (Mr. S——) to shew the Danger of a Standing Army in a free Country, brought in two Instances: One of an Insult given by Dragoons encamp'd in the West, to some Country-Men that were merry-making; the other, of an Officer quarter'd at *Gloucester*, who, upon a Rejoycing Day, would not permit the City Drums to beat, pretending, that none but the King's Drums had a Right to beat in the Garrison. To the first of these Complaints it was answer'd, That by several Affidavits taken before the Magistrates in the Neighbourhood, it appear'd that a rude Mob of discontented People had given the first Insult and Provocation to the King's Troops, by calling them *Round-heads*, and other abusive Names, and singing or playing the Tune of, *The King shall enjoy his own again, &c.* To the other, it was said, That the Officer who was guilty of that Piece of Indiscretion, was so far from being countenanc'd, that on the contrary, upon the first Notice given of it to the Secretary at War, he was order'd to be dismiss'd from his Majesty's Service; which Punishment he would have undergone, had not the Magistrates of *Gloucester* been satisfy'd with his Submission, and interceded for him. An eminent Lawyer having endeavour'd to shew the Danger of regular Troops to a free Nation, and what little Occasion there was for them at this happy Juncture, concluded, 'He could 'not imagine, what Use an Army could be put to, unless it were to extinguish the Flame that had been 'kindled in *Ireland* by the new Brass Half-pence, and to 'force that People to swallow them, *&c.*' But the most material Objections were urg'd by *Mr. Shippen*, who having shewn, 'That the neighbouring Nations who had 'lost their Liberties, were all enslav'd by regular Troops, 'added, he could not see what Occasion there might be 'for an Army in the present Situation of Affairs, when 'they were assur'd by his Majesty from the Throne, 'they were *in Peace with all Powers abroad, and in perfect Tranquility at Home*: That no Circumstance of Time 'could possibly be expected or imagin'd more proper than

'than the present, to disband Part of the Army; and 'therefore, instead of leaving to Posterity a dangerous 'Precedent, by keeping up so great a Number of 'Troops, which in the Hands of a Prince and Ministers 'less wise and more ambitious than they who govern at 'present, might be fatal to our excellent Constitution; 'they ought rather in Prudence to imitate the Conduct 'of former Parliaments, who after the Conclusion of 'the Treaties of Peace at *Ryswick* and *Utrecht*, reduc'd 'the Army to seven or eight thousand Men: Adding, 'that notwithstanding this last Reduction, and the great 'Party which was suppos'd to be in the Nation for the 'Pretender, his Majesty King *George*, came peaceably 'to the Throne.' Mr. *Yonge* retorted these Arguments, and said among other Things, 'He was oblig'd to the 'Gentlemen that spoke on the other Side, for furnishing 'him with Reasons for keeping up the present Number 'of Troops: That *the prosperous Situation of Affairs, the 'Peace with all Powers abroad, and the perfect Tranquility 'at Home*, being in a great Measure, owing to the good 'Posture we were in both by Sea and Land, *which made 'us respected abroad, and secure at Home*, it were imprudence not to continue those Forces on the same Foot. 'That the Parliament had indeed oblig'd King *William* of 'glorious Memory, to reduce his Army to seven thousand Men. But what was the Consequence of it? Why 'truly, the *French* King was thereby encourag'd to acknowledge and proclaim the Pretender, as King of '*England*, and to seize on the Monarchy of *Spain*, which 'was the Occasion of a long, bloody, and expensive War. 'That as to the Reduction of the Army after the Peace 'of *Utrecht*, it was well known, that it was principally 'owing to those who were for having an Army of another Stamp. That this Reduction would have prov'd 'fatal to the Protestant Succession, had some People had 'Time to ripen their Designs. That at least it encourag'd a great Rebellion soon after his Majesty's happy, 'and almost miraculous Accession to the Crown: And 'as the Spirit and Discontents which rais'd that Rebellion, were not yet wholly extinguish'd and subdu'd, 'they would soon see Insurrections at Home, and the 'Peace of *Europe* disturb'd abroad, if they parted with 'the Army.' This Speech was generally applauded by the Majority of the Assembly, and the Question being put upon Mr. *Pelham*'s Motion, it was carry'd in the Affirmative, by 296 Voices against 69; and resolv'd,

1st, That the Number of effective Men to be provided for Guards and Garrisons in *Great Britain*, and for *Jersey* and *Guernsey*, for the Year 1725, be (including 1815 Invalids) 18264 Men; Commission and Non-commission Officers included. 2dly, That the Sum of 654488 *l.* 17 *s.* 8 *d.* be granted for the Charge of the said 18264 effective Men, for the Year 1725. 3dly, That the Sum of 152637 *l.* 16 *s.* 5 *d.* be granted for maintaining his Majesty's Forces and Garrisons in the Plantations, *Minorca* and *Gibraltar*, and for Provisions for the Garrisons of *Annapolis Royal*, *Placentia*, and *Gibraltar*, for the Year 1725. 4thly, The Sum of 12000 *l.* upon Account for Out-Pensioners of *Chelsea* Hospital, be granted for the Year 1725. And 5thly, the Sum of 16841 *l.* 8 *s.* 6 *d.* be granted for the defraying several extraordinary Expences and Services, incurr'd, and not provided for by Parliament. These Resolutions being, the next Day reported, were agreed to by the House.

On Wednesday the 25th, the Commons in a grand Committee, consider'd of Ways and Means for raising the Supply; and resolv'd, That the Sum of 2 *s.* in the Pound, and no more, be rais'd in the Year 1725, upon Lands, Tenements, Hereditaments, Pensions, Offices, and Personal Estates, in that Part of *Great Britain*, called *England*, *Wales*, and the Town of *Berwick upon Tweed*; and that a proportionable Cess be laid upon that Part of *Great Britain* call'd *Scotland*. This Resolution being the next Day (*Nov.* 26.) reported, was agreed to by the House, and a Bill being order'd to be brought in thereupon, the same was accordingly presented to the House, and read the first Time, on Friday the 27th, and the next Day read the second Time, and commited to a Committee of the whole House.

The Day before (*Nov.* 27.) a new Writ was order'd for the electing a Knight of the Shire for the County of *Perth*, in the Room of *James Murray*, Esq; (commonly call'd Lord *James Murray*) now Duke of *Athol*, a Peer of *Great Britain*.

The House of Lords did nothing very material this Month, except the passing a Bill, entituled, *An Act to dissolve the Marriage of* William Yonge, *Esq*; *with* Mary Heathcote, *and to enable him to marry again, and for other Purposes therein mention'd.*

FINIS.

A

TABLE

OF THE

PRINCIPAL MATTERS

Contained in the

Ninth VOLUME.

Pro-

Speeches.

THE

Chronological Diary

For the Year 1724.

CONTAINING

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The Chronological Diary, &c.

Omitted towards the End of last Year.

Dec. 17. DY'd *John Trenchard of Abbots-Leigh* in the County of *Somerset*, Esq; Member of Parliament for *Taunton* in that County.

Dy'd *Thomas Yarburgh*, Esq; Register to the Office of Excise.

Edward Finch, Esq; fifth Son to *Daniel Finch*, Earl of *Nottingham*, appointed his Majesty's Minister Plenipotentiary at *Ratisbon*.

Dec. 19. Dy'd *Joseph Herne*, of the *Inner-Temple*, Esq; Sir *Humphry Howarth* of *Masselroch* in the County of *Radnor*, Knt. married to Mrs. *Williams* of *Gwernevel* in the same County.

Mr. *Dudley* made Prebendary of the Cathedral of *Lincoln*, in the Room of Dr. *Williams*, deceas'd.

Dec. 21. Dy'd Sir *John Bennet*, Knt. Serjeant at Law, and Judge of the *Marshalsea-Court*.

The University of *Oxford*, in full Convocation, voted, That a Statue should be erected to the Memory of Dr. *John Ratcliff*, their munificent Benefactor.

Dec. 22. A Fire broke out at a Tallow-Chandler's in *Smock-Alley* in *Bishopsgate-street*, and consum'd four or five Houses.

Dy'd *Bernard Graville* of *Bucklands* in the County of *Gloucester*, Esq; only Brother of the Lord *Lansdown*.

Dec. 23. *John Stanley*, *John Harrington*, and *Thomas Saunders*, executed at *Tyburn*. [See *Dec.* 7.]

Sir *James Ingoldsby*, a Baronet of *Ireland*, marry'd to Mrs. *Delaune*.

Dy'd *Benjamin Ayloffe*, Esq; Clerk and Keeper of the Records of the Dutchy Court of *Lancaster*, aged nine-

ty-five Years; above thirty of which, he had been in the said Employment.

Dec. 26. Dy'd Sir *Griffith Talbot*, Brother of the late Duke of *Tyrconnel*, in the 82d Year of his Age.

Sir *George Mason* marry'd to Mrs. *Langle*.

Dec. 27. Dy'd *Frances* Countess-Dowager of *Huntingdon*, Mother of *Theophilus Hastings*, Earl of *Huntingdon*. She was Daughter and sole Heir of *Francis Fowler* of *Harnage-Grange* in the County of *Salop*, Esq; and Widow of *Thomas Nedham*, Viscount *Kilmurray* in the Kingdom of *Ireland*.

Dy'd in a very advanc'd Age, *Matthew Johnson*, of *Wichern* in the County of *Leicester*, Esq; who had been many Years Clerk of the Parliament in the House of Lords.

Dec. 28. Dy'd Sir *Charles Lloyd* of *Meer-y-Velen* in *Cardiganshire*, Bart. and was succeeded in Honour and Estate, by his Son *Charles-Cornwallis Lloyd*, Esq;

Dy'd the Princess *Christina-Amelia* of *Denmark*, who was born *Oct.* 12, 1723.

The King, who set out from *Hanover* on the 12th of this Month, arriv'd on the 14th at *Helvoetsluys*, where he was detain'd by contrary Winds, 'till the 27th, when he embark'd on the *Carolina-Yatcht*, and landed on the 28th, between 5 and 6 in the Evening, at *Margate*, where he lay that Night; and the Night of the 29th at *Chatham*; and the next Day, in the Evening, arriv'd at St. *James's*.

Richard Woolcombe, and *John Man*, Esqrs. appointed Controllers of the Customs at *Cardiffe*, and some of the neighbouring Ports.

Mr. *Robert Thistlethwaite* chosen Warden of *Wadham College* in *Oxford*, in the Room of Dr. *William Baker* made Bishop of *Bangor*.

JANUARY, 1724.

Jan. 1. Dy'd Mr. *John Joddrell*, Son of *Paul Joddrell*, Esq; Clerk of the Parliament.

The new Church of St. *Mary le Strand* consecrated by Dr. *Edmund Gibson*, Lord Bishop of *London*.

M. *de Chavigni*, Envoy Extraordinary from *France*, being just arriv'd from *Hanover*, had his private Audiences of the Prince and Princess of *Wales*; and

the 3d Instant, the said Envoy had a private Audience of the young Princesses.

His Majesty conferr'd the Honour of Knighthood on *Felix Feast*, Esq; Sheriff of *London*.

Giles Eyre, Esq; elected Recorder of *Bath*, in the Room of *John Trenchard*, Esq; deceas'd.

Dy'd *John More*, Esq; Justice of Peace for the County of *Middlesex*, and Collector of the Duties of Exciseable imported Liquors in the Port of *London*.

Jan. 3. Dy'd Dr. *Shippen*, of a Fit of an Apoplexy.

Mr. Serjeant *Darnell* appointed Judge of the *Marshalsea-Court*, in the Room of Sir *John Bennet*, deceas'd.

Jan. 3. M. *Hop*, Envoy Extraordinary from the States-General, had his first private Audience of the King.

Dy'd at *Paris*, the Lady *Jane Hyde*, Countess of *Essex*, Wife of *William Capel*, Earl of *Essex*. She was Daughter of *Henry Hyde*, Earl of *Clarendon* and *Rochester*.

Dy'd *Charles Trumball*, D. D. Brother of Sir *William Trumball*, who was Secretary of State in the Reign of King *William* III. He was Rector of *Stysteed* in *Essex*, and of *Hadley* in *Suffolk*, and Chaplain to Dr. *William Sancroft*, Archbishop of *Canterbury*; but quitted all his Dignities upon the Score of the Revolution, in 1688, and would never comply with taking the Government-Oaths, after that Time.

Jan. 4. M. *Hop*, Envoy Extraordinary from the States-General, had private Audiences of the Prince and Princess of *Wales*.

Philip V. King of *Spain*, sign'd his Renunciation of the Crown of *Spain* in Favour of his eldst Son, *Don Lewis*, Prince of *Asturias*.

Jan. 5. M. *Hop* had a private Audience of the young Princesses.

Jan. 7. *Philip Howard*, Esq; Brother of *Thomas Howard*, Duke of *Norfolk*, marry'd to Mrs. *Stoner*, Daughter of *Thomas Stoner* of *Wattleton-Park* in the County of *Oxford*, Esq;

Hag-Abdelcader Perez, Embassador from the Emperor of *Morocco*, had his first Audience of the King.

Michael Warwick, Esq; appointed Collector of the Duties of exciseable imported Liquors in the Port of *London*, in the Room of *John More*, Esq; deceas'd. And Mr. *Christopher Read* succeeded Mr. *Warwicke*, as Tide-Surveyor, and Inspector for the Excise on the River.

Jan. 8.

Jan. 8. Dy'd *Mary* Marchioness of *Powys*, Wife of *William Herbert*, Marquess and Earl of *Powys*, Viscount *Montgomery*, &c. She was one of the Daughters and Coheirs of Sir *Thomas Preston* of *Furness* in the County of *Lancaster*, Bart.

Horatio Walpole, Esq; appointed his Majesty's Envoy Extraordinary, and Plenipotentiary at the Court of *France*.

Jan. 9. The Parliament met at *Westminster*; and the King went to the House of Lords; and the Commons attending, his Majesty made a most gracious Speech to both Houses.

The *Morocco* Embassador had Audience of the Prince of *Wales*.

Jan. 10. Dy'd *John Jennings* of *Hays* in the County of *Middlesex*, Esq;

Dy'd *Thomas Charnock*, Esq; one of his Majesty's Serjeants at Arms.

George-Moreton Pitt, Esq; Merchant of *London*, and Member of Parliament for *Old Sarum* in *Wiltshire*, appointed Register of his Majesty's Revenue of the Excise, in the Room of *Thomas Yarburgh*, Esq; deceas'd.

Jan. 12. Dy'd Mr. *Charles Gildon*, known by his Poetical Labours.

Dy'd *More* of *Hammersmith*, Esq;

Dy'd Mrs. *Susanna Levet*, Widow of Mr. *Francis Levet*, Mercer of *London*, and Sister of Sir *John Holt*, Lord Chief Justice of the King's Bench.

Jan. 13. The *Morocco* Embassador had an Audience of the young Princesses.

Dy'd *Lanoy* of *Hammersmith*, Esq; an eminent *Turky* Merchant.

Mr. *Gordon* chosen Professor of Musick at *Gresham-College*, in the Room of Dr. *Shippen*, deceas'd.

Jan. 15. The Congress of *Cambray* was open'd in Form.

Arnold, Esq; one the Clerks Extraordinary of the Kitchen, made Serjeant at Arms to his Majesty, in the Room of *Thomas Charnock*, Esq; deceas'd.

Jan. 16. The Duke of *Leeds* discharg'd out of the Custody of a Messenger. [See *Nov.* 14, 1723.]

The King re-elected Governor, Sir *Bibye Lake*, Bart. Sub-Governor, and *Henry Neale*, Esq; Deputy-Governor of the Royal *African* Company.

Dy'd

Dy'd Sir *George Wheeler*, Bart. D. D. Prebendary of *Durham*, and Rector of *Houghton* in that County.

Jan. 17. *John Lade* of the Borough of *Southwark*, Esq; elected Member of Parliament for the said Borough, in the Room of *George Meggot*, Esq; deceas'd.

Jan. 18. At the Sessions in the *Old Baily*, five Malefactors receiv'd Sentence of Death, *viz.* *John Allen*, for a Street-Robbery, *Thomas Johnson*, a Black-a-moor, *Stephen Gardiner*, *John Bonner*, and *Joseph Hyde*, for Robberies and Burglaries. At this Sessions, 37 Felons Convict were order'd for Transportation.

Sir *Thomas Colby*, Bart. one of the Commissioners of the Navy, chosen Member of Parliament for the City of *Rochester*, in the Room of Sir *Thomas Palmer*, deceas'd.

Jan. 19. Dy'd at *Stockholm* in *Sweden*, in the 70th Year of his Age, *Hugo Hamilton*, Esq; General of the Artillery to the King of *Sweden*. He was a Native of *Scotland*, and only a Lieutenant, when he first enter'd into the *Swedish* Service.

Dy'd *William Fellows*, Esq; one of the Masters in Chancery.

Dr. *Nicholas Claget* appointed Dean of *Rochester*, in the Room of Dr. *Samuel Pratt*, deceas'd.

Jan. 20. The Countess of *Hertford*, appointed one of the Ladies of the Bedchamber to the Princess of *Wales*, in the Room of the Countess of *Essex*, deceas'd.

Dy'd *William Lowndes* of *Chesham* in the County of *Bucks*, Esq; Secretary to the Treasury, and Member of Parliament for *Eastlow* in *Cornwal*.

Philip Lord *Stanhope*, eldest Son of the Earl of *Chesterfield*, appointed Captain of the Yeomen of the Guard.

Jan. 21. *John Finch*, Esq; elected Member of Parliament for *Higham-Ferrers* in *Northamptonshire*, in the Room of *Thomas Wentworth*, Esq; deceas'd.

Dy'd *Edmund Keene*, Esq; one of the *South-Sea* Directors.

Abraham Elton, Esq; chosen Member of Parliament for *Taunton* in *Somersetshire*, in the Room of *John Trenchard*, Esq; deceas'd.

Jan. 22. Mr. *Maurice Benson*, Archdeacon of *Berks*, appointed Prebendary of *Durham*, in the Room of Sir *George Wheeler*, deceas'd.

Dr. *Frankland*, made Dean of *Gloucester*, in the Room of Dr. *John Waugh*, promoted to the See of *Carlisle*.

Henry

Henry Heron, Esq; chosen Recorder of *Boston* in *Lincolnshire*, in the Room of *Charles Bertie*, Duke of *Ancaster*.

Jan. 23. The Lord *William Beauclair*, second Son of *Charles Beauclair*, Duke of St. *Albans*, elected Member of Parliament for the City of *Chichester* in *Sussex*, in the Room of *Charles Lenos*, Earl of *March*, now Duke of *Richmond*.

Peregrine Bertie, Duke of *Ancaster*, and *Kesteven*, Lord Great Chamberlain of *England*, and one of the Lords of the Bedchamber, sworn of his Majesty's most Honourable Privy Council, and took his Place at the Board accordingly.

George Crowle, Esq; elected Member of Parliament for *Kingston upon Hull*, in the Room of Sir *William St. Quintin*, deceas'd.

Dy'd Sir *John Marshal* of in the County of *Essex*, aged 82 Years.

Dy'd the Lady *Hickes*, Relict of Sir *Charles Hickes* of the *Wylde* in *Hertfordshire*.

Jan. 25. *Richard Arnold*, Esq; appointed Secretary to the Forces in *North Britain*, in the Room of *John Atkin*, Esq; deceas'd.

Jan. 27. Dr. *Henry Archer* Minister of *Feversham* in *Kent*, marry'd to Mrs. *Stanhope*, Daughter of Dr. *George Stanhope*, Dean of *Canterbury*.

Jan. 28. Dy'd the Lady *Moyer*, Widow of Sir *Samuel Moyer*, and Foundress of the Lecture at St. *Paul's*, in Defence of the Divinity of *Jesus Christ*.

The Count *de Berghes*, elected Bishop and Prince of *Liege*, in the Room of *Joseph-Clement* of *Bavaria*, Elector of *Cologn*, deceas'd.

Jan. 29. Dy'd *Lancelot Skinner*, Esq; Alderman of *London* of *Lime-street-Ward*.

Jan. 30. Dy'd Sir *William Wolstenholme* of *Enfield* in the County of *Middlesex*, Bart.

John Scrope of the *Middle-Temple*, Esq; made Joint Secretary of the Treasury, in the Room of *William Lowndes*, Esq; deceas'd.

Jan. 31. Sir *Robert Raymond*, Knt. Attorney-General, and *Edmund Probyn*, Esq; call'd to the Degree of Serjeants at Law.

Came on the Election of an Alderman for the Ward of *Lime-street*, in the Room of *Lancelot Skinner*, Esq; deceas'd.

ceas'd; and upon closing the Books, Sir *Richard Hopkins* had a Majority of sixteen Votes; but a Scrutiny was demanded and granted for *Edward Bridgen*, Esq;

Feb. 1. Sir *Robert Raymond*, appointed one of the Justices of the King's-Bench, in the Room of Sir *Robert Eyre*, made Lord Chief Baron of the Exchequer.

Sir *Philip York*, Solicitor-General, made Attorney-General, in the Room of Sir *Robert Raymond*.

Francis Eld, Esq; Barrister at Law, appointed one of the Masters in Chancery, in the Room of *William Fellows* Esq; deceas'd.

Peregrine Bertie, Duke of *Ancaster*, appointed Lord Lieutenant and *Custos Rotulorum* of the County of *Lincoln*, and of the City of *Lincoln*, and County of the same.

Feb. 3. The King chosen Governor, Sir *John Eyles*, Bart. Sub-Governor, and *John Rudge*, Esq; Deputy-Governor of the *South-Sea* Company

Clement Wearg, Esq; appointed Solicitor-General in the Room of Sir *Philip York*, made Attorney-General. And the King conferred the Honour of Knighthood on *Clement Wearg*, Esq;

John Allen, and *Stephen Gardiner*, executed at *Tyburn*. (See *Jan.* 18.) *Thomas Johnson*, and *John Bonner*, were repriev'd upon the Report, and *Joseph Hyde*, the Night before the Day of Execution.

Dr. *Tanner*, Chancellor of the Cathedral Church of *Norwich*, made Canon of *Christ-Church* in *Oxford*, in the Room of Dr. *Henry Egerton*, promoted to the See of *Hereford*.

Mr. *Tookey* made Prebendary of *Ely*, in the Room of Dr. *Tanner*.

Dr. *Crosse*, Master of *Catharine-Hall* in *Cambridge*, made Prebendary of the Cathedral of *York*.

Dy'd *Milner*, of *Maidstone* in the County of *Kent*, M. D.

Feb. 4. *John Ashburnham*, Lord *Ashburnham*, marry'd to the Lady *de Grey*, Daughter of *Henry de Grey*, Duke of *Kent*.

Newnham, Esq; of in the County of *Sussex*, appointed Serjeant at Arms, in the Room of *Thomas Charnock*, Esq; deceas'd.

Dy'd *James Moody*, Esq; Secretary to the Commissioners for stating the Debts due to the Army.

Feb. 5. The following Persons chosen Directors of the *South-Sea* Company for the Year ensuing; *viz.* *Thomas Ayles*, and *Henry Ashton*, Esqrs. Sir *Edward Beecher*, *William Brooke*, *William Bowles*, *Peter Burrel*, *Henry Cartwright*, and *Henry-Samuel Eyre*, Esqrs. Sir *John Fryer*, Bart. *Edmund Halsey*, *John Hanbury*, and *William Heath*, Esqrs. Sir *Richard Hopkins*, Captain *Samuel Jones*, *Matthew Lant*, *Benjamin Lethuillier*, *Richard Lewen*, *John Merryl*, *Nathaniel Micklethwaite*, *Robert Mitchel*, *Robert Newton*, *Samuel Pitts*, *Martin Raper*, *John Raworth*, *Gabriel Roberts*, *Thomas Saville*, *Thomas Skinner*, *J. Girardot de Tellieux*, and *Robert Walker*, Esqrs. *Robert Wood*, L. L. D.

Dy'd Mrs. *Turner*, Wife of *Edward Turner*, Esq; She was Sister of Sir *Gregory Page*, Bart.

Dy'd *Sarah* Countess-Dowager *Cowper*, Widow of *William Cowper*, Earl *Cowper*, *&c.* She was Daughter of *John Clavering* of *Chopwell* in the Bishoprick of *Durham*, Esq;

Feb. 6. Dy'd *Wheeler* of in the County of *Kent*, Esq; and Barister at Law, Brother of Sir *George Wheeler*.

Exton Sayer, L. L. D. marry'd to Mrs. *Talbot*, Daughter of Dr. *William Talbot*, Bishop of *Durham*.

Herbert Tryst, of the City of *Hereford*, Esq; marry'd to Mrs. *Vernon*, Widow of

Michael Jackson, Esq; Barrister at Law, admitted one of the Counsel of the City of *London*, in the Room of *James Gambier*, Esq; who resign'd.

Feb. 7. Dy'd Sir *Thomas Orby*, Bart.

The Court of King's-Bench order'd, That a peremptory *Mandamus* should go to the University of *Cambridge* to restore Mr. *Bently* to all his Degrees; and whatever else he had been depriv'd of, *&c.*

Dy'd *Peter Hussey* of *Sutton-Place* in the County of *Surrey*, Esq;

Feb. 8. Dy'd Sir *John Humble*, Bart. Paymaster of several Lotteries.

Dy'd in a very advanc'd Age Sir *John Briscoe* of *Amberley* Castle in the County of *Sussex*.

Thomas Spence, Esq; Serjeant at Arms attending the House of Commons, and Controller of the Lottery, appointed Paymaster to several Lotteries in the Room of Sir *John Humble*, Bart. deceas'd.

Feb. 9

Feb. 9. Mr. *Walmesley* made Controller of the Lotteries, in the Room of *Thomas Spence*, Esq; made Paymaster.

Feb. 10. The Parliament of *Ireland* prorogu'd to the 7th of *March*.

Feb. 11. Dy'd the Lady *Breedon*, Relict of Sir *Robert Breedon*, Knt. who had been Sheriff of *London*.

Feb. 12. Dy'd *Robert Walker*, Esq; one of the Directors of the *South-Sea* Company.

Dy'd at the *Charter-House*, Mr. *Elkanah Settle*, well known for his Plays, and other Poetical Writings.

Robert Vyner of *Tupham* in the County of *Lincoln*, Esq; elected Knight of the Shire for that County, in the Room of Sir *William Massingberd*, Bart. deceas'd.

Feb. 13. Dy'd *Anne* Countess of *Bellamont*, Wife of *Richard Coote*, Earl of *Bellamont* in the Kingdom of *Ireland*. She was Daughter and Coheir of Sir *Richard Holloway* of *Bridgpath* in the County of *Salop*, Knt. and had been first marry'd to Sir *Harry Oxendon* of *Deancourt* in the County of *Kent*, Bart.

Thomas Wyvill, Esq; appointed one of the Commissioners for licensing Hawkers and Pedlars.

Mr. *Samborne*, Rector of *Mearstom*, near *Rygate* in *Surrey*, aged about 80 Years, was found dead in his Bed.

Dy'd Mr. *William Beauvoir*, Dean of *Bocking* in *Essex*, and Rector of St. *Saviour's* in *Guernsey*.

Feb. 15. *Edward Trelawney*, Esq; elected Member of Parliament for the Borough of *Westlow* in *Cornwal*, in the Room of *George Delaval*, Esq; deceas'd.

The Honourable *George Cholmondeley*, Esq; elected Member of Parliament for *Eastlow* in *Cornwal*, in the Room of *John Smith*, Esq; deceas'd.

Moor Molineaux, Esq; appointed one of the Commissioners of Appeals.

Feb. 17. Dy'd *Richard Powys*, Esq; one of the Chief Clerks of the Treasury.

The Dutchess of *Richmond* appointed one of the Ladies of the Bedchamber to the Princess of *Wales*, in the Room of the Countess *Cowper*, deceas'd.

Feb. 18. The King went to the House of Peers, and gave the Royal Assent to the Land-Tax Bill.

Sir *Henry Houghton* of *Houghton Tower* in the County of *Lancaster*, Bart. elected Member of Parliament for

Eastlow in *Cornwal*, in the Room of *William Lowndes*, Esq; deceas'd.

Feb. 19. Dy'd *William Lucy*, D. D. Rector of *Hampton-Lucy* in the County of *Warwick*, and one of the Prebendaries of the Cathedral Church of *Wells*.

Dy'd the Lady *Russel*, Relict of Sir *William Russel*.

Feb. 20. Dy'd Mr. *Robert Meldrum*, one of the unhappy Gentlemen committed to *Newgate*, in 1696, upon an Accusation of their being concern'd in the Assassination Plot, and confin'd there ever since, by Virtue of several Acts of Parliament.

Sir *Orlando Bridgman* of *Great Lever* in the County of *Lancaster*, Bart. and *Henry Parsons*, Esq; elected Members of Parliament for the Borough of *Lestwithiel* in the County of *Cornwal*, in the Room of *William Cavendish*, Marquess of *Hartington*, who made his Election for the Borough of *Grampound*; and of *Philip* Lord *Stanhope*, who after his Election, accepted of the Place of Captain of the Yeomen of the Guard.

Feb. 21. Sixty-five Felons convict, who lay in *Newgate*, under Sentence of Transportation, were put on Shipboard to be transported to the Plantations in *America*.

Mark Freak, Esq; appointed one of the Principal Clerks of the Treasury, in the Room of *Richard Powys*, Esq; deceas'd.

Feb. 22. Dy'd Baron *Hoffman*, who had been Imperial Resident at this Court near 40 Years

Dy'd *Henry Saville* of *Medley* in the County of *York*, Esq;

Edward-Prideaux Guyn, Esq; elected Member of Parliament for the Borough of *Christ Church* in the County of *Southampton*, in the Room of his Father, *Francis Guyn*, Esq; who made his Election to serve for the City of *Wells* in the County of *Somerset*.

Dy'd at *Anspach Eleonora-Juliana*, Dutchess Dowager of *Wirtemberg*, Aunt, by the Father's Side, of her Royal Highness the Princess of *Wales*.

Feb. 24. Dy'd Sir *Felix Feast*, Knt. and Brewer of *London*, one of the Sheriffs of that City, and of the County of *Middlesex*.

Dy'd Sir *Thomas Travel*, Kt. He had been formerly many Years one of the Representatives in Parliament for the Borough of *Milbourn-Port* in the County of *Somerset*.

Feb. 25. Dy'd in the 87 Year of his Age *Robert Ap-Rees* of in the County of *Huntingdon*, Esq;

Dy'd

Dy'd at *Rome Michael-Angelo Conti*, Pope, by the Name of *Innocent* XIII. He was born the 15th of *May*, 1655, Son of *Charles Conti*, Duke of *Poli*, who marry'd a Sister of the Duke of *Muri*. Pope *Alexander* XIII. made Choice of him in *April*, 1690, to carry to the Doge of *Venice* the Cap and Sword, which his Holiness had consecrated the *Christmas* Day preceding. After having been Governor of *Viterbo*, he was appointed by Pope *Innocent* XII. Nuncio to the Catholick Cantons of *Switzerland*. He was consecrated Archbishop of *Tarsus*, in *May* 1695, and appointed Nuncio to the Court of *Portugal*, in 1698. Pope *Clement* XI. made him a Cardinal the 7th of *June*, 1707, and gave him in 1712, the Bishoprick of *Viterbo*, which he resign'd in 1719, and was elected Pope the 8th of *May*, 1721. During his Pontificate, he made only three Cardinals; who were, Cardinal *Conti*, his own Brother, Cardinal *Dubois*, and Cardinal *Alexander Albani*, Nephew of his Predecessor: And he refus'd to make any Promotion during his Illness, tho' he was earnestly press'd to do it; so that he left four Vacancies in the Sacred College.

Feb. 27. The King conferr'd the Honour of Knighthood on *John Darnel*, Esq; and on *Moor Molineux*, Esq; *John Myddleton*, Esq; younger Brother of *Robert Myddleton* of *Chirk Castle* in the County of *Denbigh*, Esq; marry'd to Mrs. *Lyddel*.

Feb. 28. The Lady *Lynne*, Wife of *Charles Townshend*, Lord *Lynne*, brought to Bed of a Son.

Feb. 29. Dy'd at his House in *Golden-Square*, *John Wyndham*, Esq; at the Age of 76 Years.

Dy'd Sir *William Goring* of *Burton* in the County of *Sussex*, Bart.

Dy'd *Anthony Dawley*, Esq; one of the Commissioners for the Affairs of Taxes.

March 3. Dy'd Dr. *John Evans*, Bishop of *Meath*, in *Ireland*.

Dy'd *Edwards*, Esq; formerly Commissioner of the Navy at *Plymouth*.

Colonel *Charles Dubourgay*, appointed Envoy Extraordinary to the King of *Prussia*, in the Room of the Lord *Whitworth*.

March 4 The Lord Mayor declar'd Sir *Richard Hopkins* duly elected Alderman of *Lime-street* Ward. [See *Jan.* 31.

Mr. *Pratt*, Son of Sir *John Pratt*, Lord Chief Justice of the King's-Bench, made one of the Clerks of the Treasury.

Dy'd

Dy'd at *Turin*, the Dutchess Dowager of *Savoy*, aged 80 Years, almost compleat, being born the 11th of *April*, 1644. This Princess was nam'd *Maria-Johanna-Baptista* of *Savoy-Nemours*. She was Daughter of *Charles Amedeus*, Duke of *Nemours* and *Aumale*, and of *Elizabeth*, Daughter of *Cæsar* Duke of *Vendosme*. She was marry'd the 20th of *May*, 1665, to *Charles-Emanuel* II. Duke of *Savoy*, who dy'd the 12th of *June*, 1675. She was Sister of *Mary-Frances-Elizabeth*, first Wife of *Alphonso* VI. King of *Portugal*, Mother of *Victor Amedeus* II. Duke of *Savoy*, King of *Sardinia*, Grandmother of *Maria-Aloisia*, Wife of *Lewis*, Duke of *Burgundy*, Dauphin of *France*, and of *Maria-Louisa-Gabriela*, first Wife of *Philip* V. King of *Spain*, and Great-Grandmother of *Lewis* XV. King of *France*, and of *Lewis* I. King of *Spain*.

March 5. Came on the Election of a Sheriff of *London* and *Middlesex*, in the Room of Sir *Felix Feast*, deceas'd. The Candidates were two of the Aldermen, *viz.* Sir *John Williams* and *Edward Bellamy*, Esq; which last was declar'd to have the Majority upon View, but a Poll was demanded and granted.

Algernoon Coote, Earl of *Montrath* in the Kingdom of *Ireland*, elected Member of Parliament for *Castle-Rising* in the County of *Norfolk*, in the Room of *William Fielding*, Esq; deceas'd.

Dy'd *William Crawford* of *Lincoln's-Inn*, Esq; Barrister at Law.

March 7. The Parliament of *Ireland* met at *Dublin*, and was farther prorogu'd to the 27th of *August*.

Dy'd the Lady *Harvey*, Mother of *Edward Harvey* of *Combe*, in the County of *Surrey*, Esq;

March 8. Sir *Clement Wearg*, Knt. Solicitor-General, elected Member of Parliament for the Borough of *Helston* in *Cornwal*, in the Room of Sir *Robert Raymond*, Knt. made one of the Justices of the Kings-Bench.

March 9. Dy'd *Randolph Stracey*, Esq; Town-Clerk of *London*.

Dr. *Edward Wake*, Golden Prebendary of *Lincoln*, made Dean of *Bocking* in *Essex*, in the Room of Mr. *William Beauvoir*, deceas'd.

March 10. Sir *John Williams*, Knt. and Alderman, declared Sheriff of *London* and *Middlesex*, in the Room of Sir *Felix Feast*, deceas'd, having a great Majority on the Poll; but a Scrutiny was demanded and granted for *Edward Bellamy*, Esq; and Alderman.

Dy'd

Dy'd Colonel *George Steward*, a Captain in the 3d Regiment of Foot-Guards.

March 12. Dy'd the Lady *Prideaux*, Relict of Sir *Edmund Prideaux*, and afterward Wife of Colonel *Arundel*, aged above 80 Years.

March 14. Sir *Wilfred Lawson* of *Isel* in the County of *Cumberland*, Bart. marry'd to Mrs. *Mordaunt*, Daughter of *Harry Mordaunt*, Esq; formerly Brigadier-General, and Treasurer of the Ordnance, and Niece of *Charles Mordaunt*, Earl of *Peterborough* and *Monmouth*.

George Evans, Baron of *Carbery* in the County of *Cork* in *Ireland*, elected Member of Parliament for *Westbury* in *Wiltshire*, in the Room of *James Bertie*, Esq; who made his Election to serve for the County of *Middlesex*.

Dy'd the Lady *Ashurst*, Relict of Sir *William Ashurst*, Knt. who had been Lord-Mayor of *London*.

March 16. Dy'd *John Bridges*, Esq; one of the Benchers of *Lincoln's-Inn*, and Fellow of the Royal Society. He had been Solicitor, and then Commissioner of the Customs, and afterwards Cashier of the Duties of Excise.

Dy'd *Francis-Arabella*, Lady Dowager *Bellew*. She was Daughter of Sir *William Wentworth*, Bart and Maid of Honour to Queen *Mary*, Consort of King *James* II. She marry'd *Walter Bellew*, Esq; Son of Sir *John Bellew*, who upon that Marriage was created Lord *Bellew*, Baron of *Duleck*, in the Kingdom of *Ireland*.

March 17. Dy'd *Michael Hounsleff*, Esq; Master-Cook to his Majesty,

March 18. Mr. *Thomas Jackson*, Attorney in the Lord Mayor's Court, elected Town-Clerk of the City of *London*, in the Room of *Randolph Stracey*, Esq; deceas'd.

Joseph Centlivre, Esq; appointed Master-Cook to his Majesty, in the Room of *Michael Hounsleff*, Esq; deceas'd.

Dy'd at *Naples* *Vane*, Esq; Son of *William* Viscount *Vane*, and Baron of *Duncannon* in *Ireland*.

March 19. Dy'd Mr. *Daniel Quare*, Watchmaker in *Exchange-Alley*, famous over all *Europe* for the great Improvements he made in that Art.

March 20. The Prince *de Bouillon*, eldest surviving Son of the Duke of that Name, marry'd to the Princess *Maria-Charlotte Sobieski*, Daughter of Prince *James Sobieski*,

Bieski, and Widow of the Prince of *Turenne*, eldest Brother of the Prince *de Bouillon*, who marry'd her at *Strasburg*, the 9th of *September*, 1723, and falling ill of the Small Pox, the Day after his Marriage, dy'd the 20th of that Month.

Dy'd at *Manheim*, of the Small Pox, aged 7 Years, the Hereditary Prince of *Sultzbach*, Heir Presumptive of the Electorate Palatine, after the Death of his Grandfather, the Elector Palatine, and of his Father, the Prince of *Sultzbach*, who marry'd that Elector's Daughter.

Dy'd Mrs. *Styles*, Mother of *Benjamin-Haskins Styles* of *Bowden-Park* in the County of *Wilts*, Esq;

Dy'd *Lewis Watson*, Earl of *Rockingham*, Viscount *Sonds*, Baron of *Trowley*, and Bart. Lord Lieutenant and *Custos Rotulorum* for the County of *Kent*. He marry'd *Catharine*, youngest of the two Daughters and Coheirs of *George Sonds*, Earl of *Feversham*, by whom he had Issue three Sons and six Daughters; and was succeeded in Honour and Estate by his Grandson *Lewis Watson*, Esq; Son of his eldest Son, *Edward* Viscount *Sonds*, who dy'd in his Father's Life-Time.

March 21. Dy'd *Simon Harcourt* of *Penley* in the County of *Hertford*, Esq; Master of the Crown-Office, and Clerk of the Peace for the County of *Middlesex*: In the first of which Places, he was succeeded by *William Bellamy* of the *Inner-Temple*, Esq; who had a reversionary Grant thereof.

George Treby, Esq; Secretary at War, remov'd from that Employment, and made one of the Tellers of the Receipt of his Majesty's Exchequer, in the Room of *John Smith*, Esq; deceas'd.

Dy'd *Thomas Sewell* of *Westham* in the County of *Essex*, Esq; Barrister at Law, and one of his Majesty's Justices of the Peace for that County.

March 23. *Peter Walter* of *Stanbridge* in the County of *Dorset*, Esq; appointed Clerk of the Peace for the County of *Middlesex*, in the Room of *Simon Harcourt*, Esq; deceas'd.

Dr. *Henry Downes*, Bishop of *Elphin* in *Ireland*, translated to the See of *Meath* in that Kingdom, vacant by the Death of Dr. *John Evans*.

Dr. *Theophilus Boton*, Bishop of *Clonfort* and *Kilmacduagh*, translated to the See of *Elphin*, in the Room of Dr. *Henry Downes*.

Richard Edgcomb of *Mount-Edgcomb* in the County of *Devon*, Esq; one of the Commissioners of the Treasury, appointed

appointed Vice-Treasurer of *Ireland*, in the Room of Sir *William St. Quintin*, Bart. deceas'd, jointly with *Hugh Boscawen*, Viscount *Falmouth*.

William Yonge, Esq; one of the Commissioners of the Revenue in *Ireland*, appointed one of the Commissioners of the Treasury in *Great Britain*, in the Room of *Richard Edgcomb*, Esq;

Dy'd of the Small Pox, at *Manheim*, at the Court of the Elector Palatine, his Grandfather by the Mother's Side, *Charles-Philip-Francis-Anthony-Joseph*, only Son of the Hereditary Prince of *Sultzbach*, being just enter'd into the 7th Year of his Age.

Dy'd at *Frankfort*, *Ernest-Frederick*, Duke of *Saxe-Eisfeld-Hilperthausen*, in the 43d Year of his Age; being born the 21st of *August*, 1681. He had been Major-General in the Troops of the Republick of *Holland*, and was so at the Day of his Death in those of the Emperor.

March 25. The Empress, Consort of *Charles* VI. Emperor of *Germany*, brought to Bed at *Vienna*, of an Archdutchess.

Dy'd *William Cleveland* of *Liverpoole* in the County of *Lancaster*, Esq; Member of Parliament for that Borough.

March 26. The Lord *Walpole* marry'd to Mrs. *Roll*, Daughter and sole Heiress of *John Roll* of *Stevenson* in the County of *Devon*, Esq;

March 27. Dy'd suddenly *Charles Le Bas* of *Cecil-street* in the *Strand*, Esq;

Gibbons Bagnal of the *Inner-Temple*, Esq; appointed Clerk of the Errors in the Exchequer-Chamber, in the Room of Sir *Clement Wearg*, Knt. his Majesty's Solicitor-General, who resign'd.

March 28. *Edward Bellamy*, Esq; Alderman of *London*, declar'd duly elected Sheriff of the City of *London*, and County of *Middlesex*, for the remaining Part of the Year, in the Room of Sir *Felix Feast*, deceas'd. (See *March* 10.)

Mr. *John Waller* of *Lincolns-Inn*, appointed Deputy to *Peter Walter*, Esq; as Clerk of Peace for the County of *Middlesex*.

George Doddington of *Gunville* in the County of *Dorset*, Esq; made one of the Commissioners of the Treasury, in the Room of *Henry Pelham*, Esq;

Henry Pelham, Esq; made Secretary at War, to all his Majesty's Forces rais'd or to be rais'd in the Kingdom of

Great Britain, and Dominion of *Wales*, in the Room of *George Treby*, Esq;

Charles Harrison, Esq; appointed his Majesty's Resident at the Court of *Vienna*.

Francis Coleman, Esq; his Majesty's Secretary at *Vienna*, appointed his Majesty's Resident at the Court of *Florence*.

The Countess of *Halifax*, Wife of *George Mountague*, Earl of *Halifax*, brought to Bed of a Daughter.

March 31. Sir *Gilbert Heathcote*, Knt. and Alderman, continu'd Governor, and *William Thompson*, Esq; Deputy-Governor of the Bank of *England*, for the Year ensuing.

April 1. *John Carteret*, Lord *Carteret*, appointed Lord Lieutenant of *Ireland*, in the Room of *Charles Fitz-Roy*, Duke of *Grafton*.

Thomas-Holles Pelham, Duke of *Newcastle*, appointed one of his Majesty's Principal Secretaries of State, in the Room of *John* Lord *Carteret*.

Charles Fitz-Roy, Duke of *Grafton*, appointed Lord Chamberlain of his Majesty's Houshold, in the Room of *Thomas-Holles Pelham*, Duke of *Newcastle*.

April 2. The following Persons were chosen Directors of the Bank of *England*, for the Year ensuing; *viz.* Mr. *Robert Atwood*, *Edward Bellamy*, Esq; Alderman, Sir *Gerard Conyers*, Knt. and Alderman, Mr. *Delillers Carbonel*, Sir *Peter Delme*, Knt. Lord-Mayor, *Richard Du Cane*, Esq; Mr. *Barrington Eaton*, *John Hanger*, Esq; Sir *William Humphreys*, Knt. Bart. and Alderman, Mr. *Henry Herring*, Mr. *Matthew Howard*, Sir *Philip Jackson*, Knt, *John Olmius*, Esq; Sir *Thomas Scawen*, Kt. and Alderman, *Horatio Townshend*, Esq; Sir *John Ward*, Knt. and Alderman, Mr. *Bryan Benson*, Sir *Francis Forbes*, Knt. and Alderman, *William Farwkener*, Esq; Sir *Nathanael Gould*, Knt. *John Gould*, Esq; Mr. *Samuel Holden*, *Humphrey Morrice*, Esq; *Moses Raper*, Esq;

The same Day the following Persons were chosen Directorrs of the *East-India* Company; *viz.* *William Aislabie*, Esq; Mr. *Abraham Adams*, *William Billers*, Esq; Alderman, Mr. *John Bence*, Captain *Richard Boulton*, *Francis Child*, Esq; Alderman, Dr. *Caleb Cotesworth*, *John Cooke*, Esq; Sir *Matthew Decker*, Bart. Sir *Dennis Dutry*, Bart. *John Drummond*, Esq; Mr. *John Eccleston*, Mr. *Leonard Gill*, *William Gosselin*, Esq; Mr. *John Gould*, jun. *Edward Harrison*, Esq; *John Heathcote*, Esq; Captain *Robert Hudson*, Mr. *Balthazar Lyell*, *Matthew Martin*, Esq; Mr.

Mr. *Edward Owen*, *John Ward*, Esq; *Josias Wordsworth*, Esq; Mr. *Josias Wordsworth*, jun.

Edward Barker, Esq; appointed Secretary to the Governors of the Bounty of Queen *Anne*, for the Augmentation of the Maintenance of the poor Clergy.

Dr. *Arthur Price*, Dean of *Ferns* in *Ireland*, made Bishop of *Clonfort* and *Kilma-Duagh* in that Kingdom, in the Room of Dr. *Theophilus Bolton*, translated to the Bishoprick of *Elphin*.

Hugh Boscawen, Viscount *Falmouth*, and *Richard Edgecombe*, Esq; appointed to execute the Office of Vice-Treasurer and Receiver-General, and Paymaster-General of his Majesty's Revenues in *Ireland*, and also of Treasurer at War in that Kindgom.

Robert Walpole, Esq; *George Baillie*, Esq; Sir *Charles Turner*, *William Yonge*, Esq; and *George Doddington*, Esq; appointed his Majesty's Commissioners for executing the Office of Treasurer of his Majesty's Exchequer.

Richard Sutton of *Scofton* in the County of *Nottingham*, Esq; made one of the Clerks Controllers of his Majesty's Houshold, in the Room of *William Fielding*, Esq; deceas'd.

Alan Broderick, Lord Viscount *Middleton*, Lord Chancellor of *Ireland*, *Richard Boyle*, Lord Viscount *Shannon*, and *William Conolly*, Esq; Speaker of the House of Commons of *Ireland*, constituted Lords Justices of that Kingdom, 'till the Arrival of *John* Lord *Carteret*, Lord Lieutenant thereof.

April 3. Dy'd Mrs. *Drake*, Mother of *Mountague-Gerard Drake* of *Shardeloes* in the County of *Bucks*, Esq;

Thomas Clutterbuck of *Monkton* in the Isle of *Thanet* in the County of *Kent*, Esq; Member of Parliament for *Lostwithiel* in *Cornwall*, appointed Secretary to the Lord *Carteret*, as Lord Lieutenant of *Ireland*.

April 4. Six Malefactors, five Men, and one Woman, receiv'd Sentence of Death, at the Sessions held at *Justice-Hall* in the *Old Baily*; *viz.* *Frederick Smith*, alias *Schmidt*, for erasing and altering a Bank-Note, *Thomas Williams* for Robberies on the Highway, *William Withington* for a Street Robbery, *James Collins* for Burglary, *John Wylde* for privately stealing a Silver Watch, and *Mary Morgan* for the Murder of her Bastard Child; she pleaded her Belly, and a Jury of Matrons were impanel'd, who brought her in not pregnant. Seven Felons

were burnt in the Hand, and 37 order'd for Transportation.

Thomas Boatle of

Esq; elected Member of Parliament for *Leverpool* in *Lancashire*, in the Room of *William Cleveland*, Esq; deceas'd.

Dr. *Burscough*, appointed Chaplain to *John* Lord *Carteret*, as Lord Lieutenant of *Ireland*.

Dy'd *Arthur Turner*, Esq; Brother of Sir *Edward Turner* of *Hallingbury* in the County of *Essex*, Knt.

April 5. Sir *Richard Grosvenor* of *Eaton-Hall* in the County of *Chester*, Bart. marry'd to Mrs. *Warburton*, only Daughter of Sir *George Warburton* of *Areley* in the same County, Bart.

Charles Delafaye, Esq; appointed Secretary under the Duke of *Newcastle*, in the Room of *Thomas Tickel*, Esq;

William Townshend, Esq; appointed Secretary under his Father, the Lord Viscount *Townshend*, in the Room of *Charles Delafaye*, Esq;

James Ogilvy, Earl of *Seafield* and *Finlater*, appointed his Majesty's High Commissioner to the General Assembly of the Church of *Scotland*.

April 6. Dy'd *Francis Brace* of *Furnival's-Inn*, Esq; Brother of *John-Thurloe Brace* of *Ashwood* in the County of *Bucks*, Esq; and one of the Commissioners for the Affairs of Taxes.

April 7. The King conferr'd the Honour of Knighthood on *James Campbell* of the Island of *Jamaica*, Esq;

Dy'd Mr. *Roger Grant*, a famous Oculist.

Dy'd *Cholmly*, Esq; Colonel of a Regiment of Foot.

Dy'd *Samuel Trefusis* of *Trefusis* in the County of *Cornwall*, Esq; He had been several Times Member of Parliament for the Borough of *Penryn* in that County.

April 8. The Countess of *Albemarle*, Wife of *William-Anne Keppel*, Earl of *Albemarle*, brought to Bed of a Son.

Dy'd *John Crosby*, Esq; in a very advanc'd Age. In the Reign of King *Charles* II. he was an Actor in the Playhouse, and for many Years before his Death, was one of the Justices of the Peace for the County of *Middlesex*, and one of the Governors of the Hospitals of *Christ-Church*, *Bethlem*, and *Bridewell*.

Thom

Thomas Frankland, Esq; Son of Sir *Thomas Frankland* of *Thurkelby* in the County of *York*, Bart. and Member of Parliament for *Thirske* in that County, appointed one of the Commissioners of the Revenue in *Ireland*, in the Room of *William Yonge*, Esq; made one of the Commissioners of the Treasury.

April 10. *Henry Scot*, Earl of *Deloraine*, appointed Colonel of the Regiment of Foot, late *Cholmly's*.

The Dutchess of *Liria*, Wife of the Duke of that Title, eldest Son of *James Fitz-James*, Duke of *Berwick*, who was outlaw'd in 1693, brought to Bed of a Son at *Madrid*.

Mr. *Gilbert*, Chaplain to Dr. *Lancelot Blackburne*, Lord Almoner, made Sub-Almoner to his Majesty, in the Room of Dr. *Lynford*.

Thomas Boucher of *Christian-Malford* in the County of *Wilts*, Esq; marry'd to Mrs. *Judith Bateman*, Daughter of Sir *James Bateman*, Knt.

April 12. Dy'd Mr. *William Vaughan*, Lecturer of St. *James's*, *Dukes-Place*.

Dy'd *Elizabeth* Countess Dowager of *Coventry*, Relict of *Thomas* Earl of *Coventry*. After whose Death, she marry'd *Thomas Savage* of *Elmly-Castle* in the County of *Worcester*, Esq; She was a fortunate Lady, being but of mean Extraction, Daughter of *Grimes*, a Lighterman on the River *Thames*, and Houshold Servant to the Earl who marry'd her.

April 13. Dy'd of the Small Pox, the Lady *Napier*, Wife of Sir *Nathanael Napier* of *More-Critchill* in the County of *Dorset*, Bart.

Dy'd *Turner*, Esq; Serjeant at Law.

Dy'd Mr. *John Brent*, Provost of the Moneyers at the Tower of *London*.

April 14. Dy'd *Charles Edwyn* of *Lincoln's-Inn*, Esq; Barrister at Law, Son of Sir *Humphry Edwyn*, some Time Lord Mayor of *London*.

His Majesty, upon the Resignation of the Lord Viscount *Torrington*, appointed his eldest Son *Patee Byng*, Esq; to succeed him in the Office of Treasurer of his Majesty's Navy.

April 15. The Sessions began and ended at the *Old Bailey*, where five Malefactors receiv'd Sentence of Death; *viz.* *Edward Joyce*, *John Windram*, *Thomas Burden*, *John Gunner*, and *Samuel East*, for several Robberies and Felonies; and nine Felons Convict were order'd for Transportation.

George

George Turville, Esq; made one of the Under-Tellers of the Exchequer, in the Room of *Dyver*, Esq;

Spencer, Esq; Serjeant at Arms attending the House of Commons, appointed Paymaster of the Widows Pensions at the War-Office, in the Room of *George Turville*, Esq;

April 16. Sir *Charles Hotham* of *Scarborough* in the County of *York*, Bart. marry'd to the Lady *Gertrude Stanhope*, Daughter of *Philip Stanhope*, Earl of *Chesterfield*.

Dy'd *Cuthbert*, Esq; Serjeant at Law.

Dy'd suddenly at *Cambridge*, that eminent Civilian, Dr. *Brookbank*, Fellow of *Trinity-Hall* in that University, Official to the Archdeacon of *Ely*, and Chancellor of the See of *Durham*.

April 17. *Pulse*, Esq; marry'd to Mrs. *Meadowes*, Daughter of Sir *Philip Meadowes*, Kt. Knight-Marshal of the King's Palace.

The Corporation of Moneyers in the Tower of *London*, chose Mr. *Collard* of *Walthamstow*, to be their Provost, in the Room of Mr. *John Brent* deceas'd.

John Leroche, Esq; made Exempt of the Yeomen of the Guards, in the Room of *Prescot Maynard*, Esq; who resign'd.

William Crudge, Esq; appointed Deputy-Commissary of the Musters in the Island of *Scilly*.

Dy'd Captain *Anderson*, formerly Commander of a Man of War.

April 20. Dy'd *Selby*, Esq; Serjeant at Law.

April 21. Dy'd *William Walley*, Esq; formerly Marshal of the Sick and Wounded at *Dover*, aged upwards of 80 Years.

Dy'd Mrs. *Priestman*, Widow of Captain *Priestman*, and Mother of the Lady *Aylmer*, Wife of *Henry* Lord *Aylmer*, Baron of *Batrath*, in the County of *Meath* in the Kingdom of *Ireland*.

Dy'd at *Rome Sebastian-Anthony Tanara*, Cardinal Bishop of *Ostium* and *Velletri*, and Dean of the Sacred College, from the 28th of *February*, 1721, aged 74 Years and 22 Days; being born the 10th of *April*, 1650. He was of a Senatorian Family of *Bologna*, and by his Death, left a fifth Vacancy in the Sacred College.

April

April 22. Dr. *Exton Sayer* made Chancellor of the See of *Durham*, in the Room of Dr. *Brookbank*, deceas'd.

John Eldrid, Esq; appointed Controller of his Majesty's Customs in the Port of *Dublin*.

Thomas Medlicot of *Hatton-Garden*, Esq; made one of the Commissioners for the Affairs of Taxes, in the Room of *Francis Brace* Esq; deceas'd.

April 23. The Countess, Wife of *Harry Grey*, Earl of *Stamford*, brought to Bed of a Son.

April 24. The King went to the House of Peers, gave the Royal Assent to several Bills, both publick and private, made a Speech to both Houses, and prorogu'd the Parliament to the Fourth of *June* following.

John Bromfield of *Haybard* in the New Forest in the County of *Southampton*, Esq; appointed one of the Commissioners for the Affairs of Taxes, in the Room of *Anthony Dainley*, Esq; deceas'd.

Dy'd *John Gore* of *Covent-Garden*, Esq; aged 83 Years, whose elder Brother, *William Gore*, Esq; dy'd since *Christmas*, aged 85.

Dr. *Foulkes*, Dr. *Naylor*, and Dr. *Lavell*, appointed Chaplains in Ordinary to his Majesty, in the Room of Dr. *Hugh Boulter*, promoted to the See of *Bristol*, Dr. *William Baker*, promoted to the See of *Bangor*, and Dr. *Henry Egerton*, made Bishop of *Hereford*.

April 26. Dy'd *Ellena*, Baroness Dowager of *Kinsale*, Relict of *Algernon de Courcy*, Baron of *Kinsale* in the Kingdom of *Ireland*.

April 28. Sir *Thomas Stapylton*, of in the County of *York*, Bart. marry'd to Mrs. *Catharine Paul*.

Dy'd *Theodore Rendew*, Esq; Housekeeper of *Windsor-Castle*.

April 29. The following Malefactors executed at *Tyburn*, viz. *Frederick Schmidt*, *Edward Joyce*, *William Wilkington*, *Thomas Burden*, and *Thomas Williams*. (See *April* 4, and 15.)

Dy'd the Lady *Cox*, Wife of Sir *Charles Cox* of the Borough of *Southwark*, Knt. and Brewer.

Dy'd the Lady *Elizabeth Savage*, Sister of *John Savage*, Earl *Rivers*, in the 25th Year of her Age.

April 30. *Edward Neville*, Lord *Abergavenny*, marry'd to Mrs. *Tatton*, Daughter of Major-General *Tatton*.

William

William East, Esq; one of the Commissioners of the Wine-Licence Office, marry'd to Mrs. Cooke, Daughter of Sir *George Cooke*, one of the Prothonotaries of the Court of Common Pleas.

Thomas Morley, *Fettyplace Nott*, *Joseph Girdler*, *John Barnes*, *John Raby*, *Richard Comynns*, *William Hawkins*, *William Chappel*, *James Shepherd*, *Giles Eyre*, *Lawrence Carter*, and *Matthew Skinner*, Esqrs. call'd to the State and Degree of Serjeants at Law.

Lawrence Carter, Esq; appointed one of the King's Serjeants at Law.

Died Sir *William Dawes*, Bart, the 76th Archbishop of *York*, in the 52d Year of his Age. In 1697 he was appointed one of the Chaplains in Ordinary to King *William* III. and in 1702, to Queen *Anne*, who made him Bishop of *Chester* in 1708, and in 1713, translated him to the Archbishoprick of *York*, vacant by the Death of Dr. *John Sharpe*. After that Queen's Death, he was appointed one of the Lords Justices, and a Member of the Privy-Council to King *George*. In 1715, he was appointed one of the Commissioners for finishing St. *Paul's* Cathedral, and also one of the Commissioners for Building fifty new Churches. He was succeeded in the Honour of Baronet by *Darcy Dawes*, Esq; his only Son.

Mr. *Marriot* made Housekeeper of *Windsor-Castle*, in the Room of *Theodore Rendew*, Esq; deceas'd.

The Court of Assistants of the Haberdashers Company, elected Mr. *Arthur Bedford*, Chaplain of the Hospital at *Hoxton*.

Dy'd Mrs. *Smith*, Sister of Sir *John Smith*, Bart.

Benjamin Keene, Esq; appointed Consul at *Madrid* in the Room of *Don John Baptista Uzardi*, deceas'd.

May 1. Mr. *Finch* chosen Lecturer of St. *James Dukes-Place*, in the Room of Mr. *Vaughan* deceas'd.

May 2. Dr. *Lancelot Blackburn*, Bishop of *Exeter*, translated to the See of *York*, vacant by the Death of Sir *William Dawes*, Bart.

His Majesty was pleas'd to appoint *John*, *William*, *Richard Aldworth*, *Edward Young*, *William Cleland*, *Thomas Medlicot*, and *John Bromfield*, Esqrs. to be Commissioners for the Taxes.

Edward

Edward Sympson, Esq; chosen Fellow of *Trinity-Hall* in *Cambridge*, in the Room of Dr. *Brookbank*, Chancellor of *Durham*, deceas'd.

Patrick Haldane, Esq; made one of the Commissioners of Excise, in the Room of *John Brougham*, Esq;

May 4. Dy'd Mr. *Alexander Gordon*, Clerk of the Stables to the three young Princesses.

The King conferr'd the Honour of Knighthood on *Laurence Carter*, Esq; one of his Majesty's Serjeants at Law.

Thomas Tickell, Esq; appointed Secretary to the Lords Justices of *Ireland*, in the Room of *Charles Maddocks*, Esq;

May 5. *Henry Newport*, Earl of *Bradford*, appointed Lord Lieutenant of the County of *Salop*, and *Custos Rotulorum* for the Counties of *Salop* and *Montgomery*.

John Sidney, Earl of *Leicester*, appointed Lord Lieutenant of the County of *Kent*, and City of *Canterbury*, and County of the same.

Lionel-Cranfield Sackville, Duke of *Dorset*, appointed *Custos Rotulorum* of the County of *Kent*, and City of *Canterbury* and County of the same.

May 6. *Charles Joye*, Esq; chosen Treasurer of *St. Thomas's* Hospital, in the Room of *William Cole*, Esq; who resign'd.

May 7. *John Mansel*, Esq; third Son of *Thomas Mansel*, first Lord *Mansel* of *Margam*, marry'd to the Lady *Betty Harvey*, Daughter of *John Harvey*, Earl of *Bristol*.

Dy'd Sir *Basil Firebrass*, Bart. a Wine Merchant of *London*.

Harry Mordant, Esq; eldest Son of *Harry Mordant*, Esq; and Nephew of the Earl of *Peterborough*, being disorder'd in his Senses, shot himself through the Head. And

Mr. *Taylor*, a Tobacconist in *Bread-street*, being likewise disorder'd in his Senses, shot himself through the Body, and both of them dy'd immediately.

Dy'd the Lady *Pinfold*, Relict of Sir *Thomas Pinfold*, Advocate-General.

Dy'd *Langham Booth*, Esq; Brother of *George Booth*, Earl of *Warrington*, one of the Grooms of the Bedchamber to the Prince of *Wales*, and Member of Parliament for *Liverpool* in *Lancashire*.

May 8. Dy'd *William Fenwick* of *Epsom* in the County of *Surrey*, Esq;

May 9. Dy'd Sir *Richard Vivyan* of *Telewarren* in the County of *Cornwall*, Bart.

May 10. Mr. *Timothy Moor*, Purser of the *Canterbury* Man of War, shot himself through the Head in a Field near *Portsmouth* Common.

George Townshend, *Christopher Mountague*, *James Vernon*, *John Whetham*, *Roger Gale*, *Benjamin Mildmay*, *Richard Elliot*, *George Ducket*, and *Patrick Haldane*, Esqrs. appointed Commissioners for the Management and Receipt of the Revenue of Excise and other Duties, and of the Inland Duties upon Coffee, Tea, and Chocolate.

May 12. Mr. *Blaford*, an eminent Master-Builder, hang'd himself at his House in *St. Giles's in the Fields*.

Dy'd Sir *William Strickland* of *Boynton* in the County of *York*, Bart. Commissary-General of the Musters, and Member of Parliament for *Malton* in that County. He was succeeded in Honour and Estate by his only Son, *William Strickland*, Esq; one of the Commissioners of the Revenue in *Ireland*.

Dy'd Mr. *Knaggs*, Lecturer of *St. Giles's in the Fields*.

May 14. The General Assembly of the Church of *Scotland* met at *Edinburgh*, and chose for their Moderator, Mr. *William Wishart*, Principal of the University of *Edinburgh*.

May 15. *Horatio Walpole*, Esq; appointed his Majesty's Embassador Extraordinary and Plenipotentiary at the Court of *France*.

John Gumley, Esq; Deputy-Commissary-General of the Musters, and Member of Parliament for *Steyning* in *Sussex*, made Commissary-General of the Musters, in the Room of Sir *William Strickland*, Bart. deceas'd. And

Sir *Anthony Westcombe*, Bart. appointed Deputy-Commissary-General of the Musters, in the Room of *John Gumley*, Esq;

May 16. Sir *Thomas Wheate* of *Glymton* in the County of *Oxford*, Bart. marry'd to Mrs. *Mary Gould*, Daughter of *Henry Gould* of *Oakend*, near *Uxbridge* in the County of *Middlesex*, Esq;

Dy'd *Hungate* of *Lincoln's-Inn*, Esq;

May 17. Dy'd at the Age of 80 Years and upwards, *William Munray*, Esq; formerly Page of the Back-Stairs to Queen *Catharine*, Consort of King *Charles* II.

The Countess, Wife of *Richard Boyle*, Earl of *Burlington*, brought to Bed of a Daughter.

May 18. *Charles Lumley*, Esq; Brother of *Richard Lumley*, Earl of *Scarborough*, appointed Groom of the Bed-chamber.

chamber to the Princess of *Wales*, in the Room of *Langham Booth*, Esq; deceas'd.

The Cardinals in the Conclave, being fifty-three in Number, unanimously elected for Pope, in the Room of *Innocent* XIII. Cardinal *Vincent-Maria Ursini*, who took the Name of *Benet* XIII. He was Son of *Ferdinando de Ursins*, Duke of *Gravina*, and of *Jane de la Tolfa*, Daughter of the Duke of *Grumo*. He was born at *Naples*, *Feb.* 2, 1649, and christen'd by the Name of *Peter-Francis*; but afterwards, when he entet'd into the Order of the *Dominicans*, he chang'd his Name of Baptism, and took that of *Vincent-Maria*. Pope *Clement* X. made him a Cardinal on the 2d of *February*, 1672. He was at the Time of his Election, Sub-Dean of the Sacred College, Bishop of *Porto*, Archbishop of *Benevento*, and Protector of the Order of the Canons Regular of *St. Saviour*. He was descended from a very ancient Family, which had given to the Church 5 Popes, and 34 Cardinals; and to the State, a great Number of illustrious Men.

May 19. A Fire broke out in a new-built House, near *Chelsea* College, and consumed that House with 3 others.

John Carter of in the County of *Cambridge*, Esq; marry'd to Mrs. *Thompson*, Daughter of *Maurice Thompson*, Lord *Haversham*.

May 21. Dy'd *Robert Harley*, Earl of *Oxford* and Earl *Mortimer*, Baron *Harley* of *Wigmore*, Knight of the most noble Order of the Garter, one of the Governors of the *Charter-House*, &c. in the 64th Year of his Age. He was descended from a Family of great Antiquity and Note in the County of *Salop* at the Time of the Conquest. He was Member of Parliament for *New-Radnor*, and Speaker of the House of Commons, in the two last Parliaments of King *William*, and in the First of Queen *Anne*. In *December*, 1701, he was chosen Arbitrator for uniting the two *India* Companies; and in 1702, Queen *Anne* appointed him one of the Commissioners for treating of an Union with *Scotland*. He was also a Member for *New-Radnor*, in the second Parliament of the said Queen, who, in 1704, admitted him a Member of her Privy Council, and made him Principal Secretary of State. In 1706, her Majesty appointed him one of the Commissioners for treating of a further Union with *Scotland*; and in 1708, he was made *Custos Rotulorum* of the Shire of *Radnor*; in 1710, her Majesty made him one of the Commissioners of the Treasury, one of her Cabinet-Council, and Chancellor, and

and Under-Treasurer of the Exchequer. On the 8th of *March*, 1710-11, a *Frenchman*, who went by the Name of Marquess *de Guiscard*, attempted his Life by stabbing him at the Council-Board, with a Penknife. In *May* following, the Queen created him a Peer of *Great Britain*, by the Name, Style, and Title abovemention'd; and on the 29th of that Month, constituted him Lord High Treasurer of *Great Britain*. On the 26th of *October*, 1712, he was elected Knight Companion of the most noble Order of the Garter, install'd in *August* following at *Windsor*, and the same Year was chosen Governor of the *South-Sea* Company, of which he had been the chief Founder or Regulator: About the same Time he was also chosen one of Governors of the *Charter-House*. Soon after King *George's* Accession to the Throne, he was impeach'd by the House of Commons of High Treason, and other High Crimes and Misdemeanors, and thereupon was sent to the Tower, where he continu'd about 3 Years, when being brought to Tryal by his Peers, he was acquitted of that Impeachment. During the Time he was Prime Minister, he was easy and disengag'd in private Conversation, with such a Weight of Affairs upon his Shoulders. He was a Man of great Learning, and as great a Favourer and Protector of it. Intrepid by Nature, as well as by the Consciousness of his own Integrity, and would have chosen rather to fall by an Impeachment, than to be sav'd by an Act of Grace: Sagacious to view into the remotest Consequences of Things, by which all Difficulties fled before him. He was a courteous Neighbour, a firm and affectionate Friend, and a kind, generous, and placable Enemy, sacrificing his just Resentments not only to publick Good, but to common Intercession and Acknowledgement. He was a Despiser of Money, and what is yet most rare, an uncorrupt Minister of State. He was twice marry'd: His first Wife was *Elizabeth*, Daughter of *Thomas Foley* of *Whitley-Court* in the County of *Worcester*, Esq; Sister to *Thomas* first Lord *Foley*, by whom he had Issue one Son and two Daughters, *viz.* *Edward* Lord *Harley*, by whom he was succeeded in Honour and Estate. *Elizabeth*, who marry'd the Marquess of *Carmarthen*, Son of *Peregrine Osborn*, Duke of *Leeds*, but dy'd in 1713; and *Abigail*, his second Daughter, marry'd to *George Hay*, Lord *Duplin*, afterwards Earl of *Kinoul* in *Scotland*. His second Wife was *Sarah*, Daughter of *Thomas Middleton*, Esq; Son of Sir *Hugh Middleton*, Bart. by whom he never had Issue.

Pollexfe

Pollexfen Bastard of in the County of *Devon*, Esq; marry'd to the Lady *Bridget Poulet*, Daughter of *John Poulet*, Earl *Poulet*.

Dy'd *Daniel Weir* of *Stonebyes* in *Scotland*, Member of Parliament for the Burghs of *Selkirk*, *Peebles*, *Linlithgow*, and *Lanerk*.

May 22. The Sessions ended in the *Old Baily*, where 4 Persons receiv'd Sentence of Death, *viz.* *Peter Curtis* and *William Parkinson* for Burglary; *Peter Burges* and *Susanna Hutchins* for Felony: She pleaded her Belly, but the Jury of Matrons brought in their Verdict, Not with quick Child. At the same Sessions 22 Felons Convict were order'd for Transportation, three burnt in the Hand, and one to be whipt.

Dy'd Mr. *Edward Stanhope*, one of the Clerks of the Treasury.

May 23. Dy'd *John Dummer* of *Lincoln's-Inn*, Esq; *Thomas Asheton* of *Ashley* in the County of *Chester*, Esq; marry'd to Mrs. *Smith*, Daughter of *John Smith* of *Tydworth* in the County of *Southampton*, Esq;

May 24. Dy'd *John Dolphin*, of *Shenston* in the County of *Stafford*, Esq; Member of Parliament for the Borough of that Name.

May 25. Dy'd *Henry Cornish*, Esq; aged sixty-four Years. He was Son of *Henry Cornish*, Esq; Sheriff of *London*, who was executed in *Cheapside* for High Treason, *October* 23, 1685.

May 28. Dy'd Mrs. *Calthrop*, Sister of *Talbot Yelverton*, Earl of *Sussex*.

May 29. A Fire broke out in the Workhouse of Mr. *Allen*, a Tallow-Chandler at *Saltpetre-Bank*, near *New Bag-Fair*, and consum'd only the said Workhouse.

The Lady *Coddrington*, Wife of Sir *William Coddrington* of *Doddington* in *Gloucestershire*, brought to Bed of a Daughter.

May 30. *Robert Southwell*, Esq; Brother of the Lord *Southwell* of the Kingdom of *Ireland*, kill'd by Mr. *Henry Cattrel* in a Quarrel that happen'd between them at the *Lady-Body Tavern*, near the *Haymarket*.

Mrs. *Wentworth*, Wife of *Thomas Wentworth* of *Wentworth-Woodhouse* in the County of *York*, Esq; brought to Bed of a Son, baptiz'd by the Name of *Daniel*,

May 31. Dy'd in a very advanc'd Age, *Henry Sayer* of *Lincoln's-Inn*, Esq;

The Lady *Harvey*, Wife of the Lord *Harvey*, Son and Heir apparent of *John Harvey*, Earl of *Bristol*, brought to Bed of a Son.

Mr. *Denn* of *St. Leonard's Shoreditch*, Clerk, marry'd to Mrs. *Bradford*, Daughter of Dr. *Samuel Bradford*, Bishop of *Rochester*.

June 2. Mrs. *Smith*, one of the Maids of Honour to the Princess of *Wales*, Daughter of *John Smith* of *Tydworth* in the County of *Southampton*, Esq; declar'd Governess to the Princess *Mary*, and Prince *William-Augustus*, in the Room of Mrs. *Germinghen*, deceas'd.

Dy'd *John Brewer* of in the County of *Kent*, Esq; who had been many Years one of the Com Barons for the Port of *New-Rumney* in that County.

Dy'd *Peter le Peeper* of *Spittle-Fields*, Esq; an eminent Merchant.

Sir *William St. Quintin* of *Scampston* in the County of *York*, Bart. marry'd to Mrs. *Rebecca Thompson*, Daughter of

June 4. The Parliament which stood prorogu'd to this Day, was farther prorogu'd to the 16th of *July* following.

The Princess of *Wales* appointed Mr. *Clement Tookie* Prebendary of *Ely*, to be her Royal Highness's Chaplain in Ordinary.

Dy'd *Richard Bulkeley* of *Barne-Hill* in the County of *Anglesea*, Lord Viscount *Cashel* in the Kingdom of *Ireland*; and Knight of the Shire for the said County. He marry'd the Lady *Bridget Bertie*, Sister of *Montague-Venables Bertie*, Earl of *Abingdon*, by whom he left Issue two Sons and four Daughters; and was succeeded in Honour and Estate by his eldest Son *Bulkeley*, Esq;

June 5. Dy'd *Henry Sacheverel*, D. D. Rector of St. *Andrew's Holbourn*.

Dr. *Henry Downes*, Bishop of *Meath*, *James O Hara* Baron of *Kilmaine* in *Ireland*, and *St. John Brodrick* Esq; Son of the Lord Viscount *Brodrick*, appointed Members of his Majesty's most Honourable Privy Council of that Kingdom.

Ju

June 6. Mrs. *Vernon*, Wife of *Bowater Vernon* of *Hanbury* in the County of *Worcester*, Esq; brought to Bed of a Son.

Anthony Collins of *Baddow* in the County of *Essex*, Esq; marry'd to Mrs. *Wrottesly*, Sister of *Hugh Wrottesly* of *Lincoln's-Inn*, Esq;

The Princess, Spouse of the Hereditary Prince of *Sultzbach*, only Daughter of the Elector Palatine, brought to Bed at *Swetzingen*, of a Princess.

June 8. Dy'd at *Dublin Charles O Hara*, Baron of *Tyrawley* in the County of *Mayo* in *Ireland*; and was succeeded in Honour and Estate by his Son *James O Hara*, Baron of *Kilmaine* in that Kingdom.

The King conferr'd the Dignity of a Baronet of *Great Britain*, on *John Mitchell* of *West-Shoar* in *Zetland*, Esq;

The Princess, Spouse of his Royal Highness the Prince of *Denmark*, brought to Bed of a Princess at *Copenhagen*, who was baptiz'd by the Name of *Louisa*.

June 9. *Joshua Wilson*, a Quaker, and Watchmaker, broke his Skull by a Fall off his Horse in *Shoreditch*, and dy'd soon after.

The Marquess *de Cortanza*, Envoy Extraordinary from the King of *Sardinia*, had Audience of his Majesty, to whom he deliver'd a Letter from the King his Master, notifying the Conclusion of a Treaty of Marriage between the Prince of *Piemont* and the Princess *Polyxena* of *Hesse-Rhinfels-Rottembourg*.

June 10. Mr. *John Hoyle* of *Mitre-Court*, near *Aldgate*, cut his Throat, and dy'd immediately.

June 11. *Pattee Byng*, Esq; Son and Heir apparent of *George Byng*, Viscount *Torrington*, marry'd to the Lady *Charlotte Mountague*, Sister of *William Mountague*, Duke of *Manchester*.

About this Time came Advice, that *Khan-Hi*, Emperor of *China*, and Sovereign of both the *Tartary's*, Eastern and Northern, dy'd at *Pekin* the 20th of *December*, 1722, aged sixty-nine Years, seven Months, and twenty-five Days; after a Reign of near sixty-two Years; and that his fourth Son, named *Yon Tekin*, aged 40 Years, succeeded him in all his Dominions.

June 12. Dy'd *Thomas Marriot*, Esq; Clerk of the Pleas in the Court of Exchequer.

June 13. Dy'd Mr. *John Monteage*, Chief Accountant of the Bank of *England*.

June 14. Dy'd *Robert Brough*, Esq; one of his Majesty's Harbingers, and a Commissioner of the State-Lottery.

June 15. *William Boyde*, Earl of *Kilmarnock*, marry'd to the Lady *Anne Livingston*, Daughter of *James Livingston*, Earl of *Linlithgow* and *Calendar*.

Peter Curtis, and *William Parkinson*, executed at *Tyburn*. [See *May* 22.]

Dy'd of a Hurt he receiv'd by a Fall from his Horse *Thomas Beauchamp* of *Tottenham-High-Cross*, in the County of *Middlesex*, Esq;

Mr. *Zorobabel Cruch* appointed Chief Accountant of the Bank of *England*, in the Room of Mr. *John Monteage*, deceas'd.

June 16. Dy'd the Lady *Harcourt*, second Wife of *Simon* Lord Viscount *Harcourt*.

Charles Steward, Laird of *Denairn*, appointed one of the Harbingers to his Majesty, in the Room of *Robert Brough*, Esq; deceas'd.

June 17. Dy'd at *Rome* suddenly, Cardinal *Horace-Philip Spada*, Cardinal-Priest, by the Title of St. *Onuphrio*, Bishop of *Osmo*, aged sixty-four Years, six Months and six Days. He was a Creature of *Clement* XI. who promoted him to the purple Dignity on the Eleventh of *May*, 1706; and by his Death, he left a seventh Vacancy in the Sacred College.

Stanley, L. L. D. marry'd to Mrs. *Wise*, Daughter of Mr. *Henry Wise*, the King's Gardener.

The Lady *Holt*, Wife of *Holt*, of in the County of *Norfolk*, Esq; and Sister of *Philip* Duke of *Wharton*, brought to Bed of a Son, who dy'd soon after.

June 18. *Benjamin Mildmay*, Esq; Brother of *Charles Mildmay*, Lord *Fitz-Walter*, and one of the Commissioners of the Excise, marry'd to the Lady *Frederica Schomberg*, eldest Daughter of *Meynhart*, Duke of *Schomberg*, and Widow of *Robert Darcy*, Earl of *Holdernesse*.

Charles Ratcliffe, Esq; Brother of *James Ratcliffe*, Earl of *Derwentwater*, who was beheaded on *Tower-Hill* for High Treason in 1716, marry'd at *Brussels*, to the Lady *Frances Brudenell*, Sister of *George Brudenell*, Earl of *Cardigan*, and Widow of *Charles Livingston*, Earl of *Newbourg*.

June 19. The Count *de Broglio*, Embassador in Ordinary from his most Christian Majesty, had his first private

vate Audience of the King, to which he was introduc'd by the Duke of *Newcastle*, one of his Majesty's Principal Secretaries of State, and conducted by Sir *Clement Cotterell*, Master of the Ceremonies.

A Fire broke out at *Wooburn* in *Bedfordshire*, and consum'd near 50 Houses.

Mr. *Jeffrey Elways* appointed Treasurer to the Governors of the Bounty of Queen *Anne*, for the Augmentation of the Maintenance of the poor Clergy.

Dy'd Sir *John Shuckburgh* of in the County of *Warwick*, Bart. and was succeeded in Honour and Estate by his eldest Son *Stewkley Shuckburg*, Esq;

John Temple of in the County of *Southampton*, marry'd to Mrs. *Penelope Dyves*, Daughter of

June 20. Dy'd Dr. *Beale*, a noted Man-Midwife.

Sir *John Dryden* of in the County of *Northampton*, Bart. marry'd to Mrs. *Ingram*, Daughter of

Hugh Clopton of *Stanton* in the County of *Derby*, Esq; marry'd to Mrs, *Smith*, Widow of *Smith*, Esq; formerly a Governor in the *Indies* for the *East-India* Company.

Thomas Lumley, Esq; Brother of *Richard Lumley*, Earl of *Scarborough*, marry'd to the Lady *Frances Hamilton*, second Daughter of *George Hamilton*, Earl of *Orkney*.

The Lord Viscount *Tarbat*, eldest Son of *George Mackenzie*, Earl of *Cromarty*, marry'd to Mrs. *Gordon*, eldest Daughter of Sir *William Gordon* of *Dalphally*, Bart.

Charles Gordon, Earl of *Aboyn*, marry'd to Mrs *Grace Lockart*, Daughter of *George Lockart* of *Carnwarth*, Esq;

Reynolds, Esq; Secretary to *Robert Walpole*, Esq; as Chancellor of the Exchequer, appointed Clerk of the Pleas, in the Room of *Thomas Marriot*, Esq; deceas'd.

June 24. *Robert Bailis*, Esq; and Alderman, and *Joseph Eyles*, Esq; *Turkey* Merchant, elected Sheriffs of the City of *London*, and County of *Middlesex*, for the Year ensuing.

Dy'd Mrs. *De la Hay*, Widow of Mr. *De la Hay*, who was Confectioner to King *Charles* II.

Robert

Robert Walpole, Esq; elected one of the Governors of the *Charter-House*, in the Room of *Robert Harley*, Earl of *Oxford* and Earl *Mortimer*, deceas'd.

June 26. Dy'd suddenly Mr. *De la Hay* of *Red-Lyon Street*, an eminent Merchant of *London*.

Fortescue, Esq; made Secretary to *Robert Walpole*, Esq; as Chancellor of the Exchequer, in the Room of *Reynolds*, Esq; appointed Clerk of the Pleas.

June 29. Dy'd of the Small Pox *Elizabeth*, Dutchess Dowager of *Bedford*, Relict of *Wriothesley Russel*, Duke of *Bedford*. She was the sole Daughter and Heir of *John Howland* of *Streatham* in the County of *Surrey*, Esq;

Dy'd suddenly in a Hackney-Coach in *Fleestreet*, Mr. *Moss*, an Attorney at Law of the City of *Gloucester*.

Dy'd the Lady *Muddiford*, Widow of Sir *Thomas Muddiford*, and afterwards marry'd to *Charles Long*, Esq; whom she also surviv'd.

Sir *Richard Cox* of *Gloucestershire* marry'd to Mrs. *Mary Bethel*, Daughter of

July 2. *Lloyd*, Esq; second Major in the first Regiment of Guards, shot himself, and dy'd immediately.

Bromley, Esq; Son of *William Bromley* of *Bagington* in the County of *Warwick*, Esq; marry'd to Mrs. *Throgmorton*, Daughter of

Lewis, Duke of *Orleans*, marry'd to the Princess *Louisa* of *Baden*, Daughter of Prince *Lewis* of *Baden*.

D'yd *Levinz*, Esq; Lord Chief Justice of of the Common-Pleas in *Ireland*.

July 6. Dy'd in Childbed the Lady *Bridges*, Wife of Sir *Brook Bridges* of *Goodnestern* in the County of *Kent*, Bart. and Daughter of Sir *Thomas Hales* of *Howletts* in the same County, Bart.

Dy'd Dr. *John Tyler*, Bishop of *Landaff*, and Dean of *Hereford*, in a very advanc'd Age.

The Princess, Spouse of the Electoral Prince of *Bavaria*, brought to Bed at *Nymphenbourg* in that Electorate of a Princess, who was baptiz'd by the Name of *Maria-Antonina Walbourg*.

Dy'd

Dy'd *Duquerry*, Esq; Major of the Earl of *Stairs*'s Regiment.

July 9. A Chapter of the Garter was held at *Kensington*, in which *Richard Lumley*, Earl of *Scarborough*, and *Charles Townshend*, Lord Viscount *Townshend*, were elected Knights of that most noble Order.

July 10. Dy'd *John Borret*, Esq; one of the Masters in Chancery.

The Sessions ended in the *Old Baily*, where Sentence of Death, was pass'd on seven Malefactors, *viz. John Horn*, *Lumley Davies*, and *James Harman* for Robberies on the Highway; *John Merry* alias *Reynolds*, and *Anthony Walraven*, for counterfeiting the Stamp upon Dice, *Hannah Ramsey*, for picking a Pocket, and *Elizabeth Breedon* for robbing her Mistress. The two Women pleaded their Bellies, and the Jury of Matrons brought them inwith Quick Child.

Mr. *John Lawton*, one of the Deputy-Chamberlains of the Exchequer, appointed Inspector of the Records at *Westminster*, with a Salary of 200 *l. per Annum.*

Brownlow Cecil, Earl of *Exeter*, marry'd to Mrs. *Chambers*, Daughter of a Merchant of *London*.

The Dutchess, Wife of *James Hamilton*, Duke of *Hamilton* and *Brandon*, brought to Bed of a Son.

July 11. Dy'd Mrs. *Manley*, Author of the *Atalantis*, and several other celebrated Pieces. She was Daughter of Sir *Roger Manley*, Knt. formerly Governor of the Island of *Jersey*. She was a Person of a polite Genius, and uncommon Capacity, which made her Writings naturally delicate and easy, and her Conversation agreeably entertaining.

A Fire broke out in *Chiswell-street*, and burning with Violence from Twelve to Four in the Afternoon, consum'd several Houses.

July 12. Dy'd Mr. *Middleton*, Lecturer of St. *Bennet*'s, *Paul*'s-*Wharf*.

Dy'd Mr. *Richardson*, one of the Readers at St. *Martin's in the Fields*.

July 13. Dy'd Dr. *Thomas Lindsay*, Archbishop of *Armagh*, and Primate of all *Ireland*, in the 70th Year of his Age. He was first promoted to the Deanery of St. *Patrick* in *Dublin*, and from thence to the See of *Killaloo*, in the Year 1695; and having govern'd that See near eighteen Years, was translated from thence to the See of *Rapho*, and soon after to the Archbishoprick of *Armagh*, upon

upon the Death of Dr. *Narcissus Marsh*, which happen'd in 1713.

July 14. Dy'd *Hugh Sweetapple*, Esq; of *Cheshunt* in *Hertfordshire*, one of the Coal-Meeters in the Port of *London*.

The Lady *Forrester*, Wife of *George* Lord *Forrester*, brought to Bed of a Son.

July 15. Dy'd Mrs. *Henchman*, Wife of Dr. *Henchman*, L. L. D.

July 16. The Parliament met at *Westminster*, and was farther prorogu'd to the 27th of *August* next.

Mark Thurston of the *Inner-Temple*, Esq; made one of the Masters in Chancery, in the Room of *John Borret*, Esq; deceas'd.

July 17. Dy'd *Whitsted*, Esq; Lieutenant-Colonel of the Regiment of Foot commanded by Brigadier-General *Munday*.

July 18. Dy'd *Primrose*, Esq; Brother of *Archibald Primrose*, Viscount *Primrose* in *Scotland*.

Dy'd *Trancham Masters*, Esq;

July 20. *Finch*, Esq; his Majesty's Envoy Extraordinary and Plenipotentiary at the Court of *Sweden* appointed to go in the same Character to the States-General of the United Provinces. And

Stephen Pointz, Esq; Treasurer of the Excise, appointed to succeed *Finch*, Esq; as Envoy Extraordinary and Plenipotentiary at the Court of *Sweden*.

July 26. Dy'd Sir *John Fellowes*, Bart. formerly Sub-Governor of the *South-Sea* Company.

July 27. Sir *Walter Bagot* of in the County of *Stafford*, Bart. marry'd to the Lady *Barbara Legg*, Daughter of *William Legg*, Earl of *Dartmouth*.

Joseph Mickleth-waite of *Prickles-Hall* in the County of *Hertford*, Esq; created a Peer of *Ireland*, by the Name Style and Title of Baron *Mickleth-waite* of *Port-Arlington* in *Queen's-County* in that Kingdom.

August 2. Dy'd at the Age of 74 Years, *James Lane*, Viscount and Baron of *Lanesborough* in the County of *Longford* in the Kingdom of *Ireland*, and leaving no Issue the Honour became extinct.

A Fire broke out at an Eating-House at *Charing-Cross* the Sign of the *Three Pidgeons*, which consum'd most Part of that House, and very much damag'd two others.

Th

The Countess of *Castlehaven*, Wife of *James Touchet*, Lord *Audley* of *Heleigh*, and Earl of *Castlehaven* in the Kingdom of *Ireland*, was brought to Bed of a Son.

Aug. 3. Mr. *Cook*, chosen Lecturer of the United Parishes of St. *Peter* and St. *Bennet*, *Paul's-Wharf*, in the Room of Mr. *Middleton*, deceased.

A Fire broke out at the House of Mrs. *Carr* in *King-street*, *Soho*, and consumed that House, and damaged several others.

Mr. *Alexander Agnew*, Son of Sir *James Agnew*, Bart. kill'd in a Scuffle at the *Lubeck* Tavern in *Maiden-lane*, by Major *Charles Harrison*, a Quarrel happening between them, and none present but themselves.

Aug. 5. Dr. *Hugh Boulter*, Bishop of *Bristol*, translated to the Archbishoprick of *Armagh* in *Ireland*, vacant by the Death of Dr. *Thomas Lindesay*.

Aug. 7. Dy'd *Patrick Hume*, Earl of *Marchmont*, Viscount *Blazenberry*, Lord *Polwarth* of *Redbray* and *Greenlaw*, Lord *Polwarth* of *Polwarth*, and Baronet, and was succeeded in his Titles and Estate, by his eldest Son Lord *Polwarth*, one of the *British* Plenipotentiaries at the Congress of *Cambray*.

Sir *William Fownes*, Knt. created a Baronet of the Kingdom of *Ireland*.

Aug. 8. Dy'd *William Bance*, Esq; of an Apoplexy, which seized him the Day before as he was on Horseback riding through *Windsor* Forest.

Dy'd at *Dublin* the Lady *Blaney*, Widow of *William Blaney*, Baron *Blaney* of *Monaghan*, and Mother of *Cadwallader*, Lord *Blaney*. She was Sister of *William Cavefield*, Lord Viscount *Charlemont*.

Aug. 9. Dy'd *John Horton* of *Wolverton* in the County of *Somerset*, Esq;

The Princess *Polyxena* of *Hesse-Rhinfelts-Rottembourg*, marry'd at *Thonen* in *Savoy*, to the Prince of *Piemont*.

Aug. 10. *John Dawney*, Esq; eldest Son of *Henry Dawney*, Lord Viscount *Downes* in the Kingdom of *Ireland*, marry'd to Mrs. *Pleydwell*, Daughter of

Dy'd *John Egerton* of in the County of *Chester*, Esq;

Aug. 11. Dy'd Dr. *Thomas Lyndford*, one of the Prebendaries of *Westminster*, Archdeacon of *Barnstaple*, and Rector of St. *Edmund the King* in *Lombard-street*; aged about 80 Years.

Aug. 12. Dy'd *Thomas Stoner* of *Wattleton-Park* in the County of *Oxford*, Esq;

Dy'd Mr. *Fenton*, one of the Prebendaries of the Collegiate Church of *Southwell*.

The Lady of the Lord *Archibald Hamilton*, brought to Bed of a Daughter, who dy'd soon after it was born.

Aug. 13. Mr. *Edward Willes*, Rector of *Barton* in in *Bedfordshire*, made one of the Prebendaries of *Westminster*, in the Room of Dr. *Thomas Lyndford*, deceas'd.

Mead, Esq; M. D. marry'd to Mrs. *Anne Alstone*, Daughter of Sir *Rowland Alston* of *Wadehul* in the County of *Bedford*, Bart.

Dy'd *Skeene* of *Chelsea*, Esq; formerly an Officer in the Earl of *Stairs's* Dragoons.

Aug. 14. The King went from the Palace of *Kensington* to reside at *Windsor* Castle.

The Sessions ended at the *Old Baily*, where six Malefactors, five Men and one Woman, received Sentence of Death, *viz.* *Joseph Ward* and *Robert Coltharp* for Robberies on the Highway; *Anthony Upton* and *John Shepherd* for Felony and Burglary; *Stephen Fowles* for Shop-lifting; and *Frances Sands*, for stealing between 30 and 40*l.* out of a Club-Box. Nine Felons were burnt in the Hand, (four of them for marrying second Wives while their first were living) and thirty-one ordered for Transportation. Major *Charles Harrison* was try'd for killing Mr. *Alexander Agnew*, and the Jury found it *Se defendendo*.

Nicholas Nettiville, Esq; of the Kingdom of *Ireland* marry'd to the Lady *Nugent*, Widow of

Dy'd Mr. *Richardson*, one of the Deputy Clerks of the Signet.

Dy'd in the 18th Year of her Age, the Dutchess of *Hamilton*, Wife of *James* Duke of *Hamilton* and *Brandon*. She was Daughter of *John Cochran*, Earl of *Dondonald*.

Charles-Jones Wake of *Waltham-Abbey* in the County of *Hertford*, Esq; Son of Sir *Baldwin Wake* of in the County of *Northampton*, Bart. marry'd ro Mrs. *Sambrook*, Daughter of Sir *Samuel Sambrook* of *Bushill* in the County of *Hertford*, Bart.

Aug. 16. Dy'd *John Fryer*, Esq; only Son of Sir *John Fryer*, Bart. and Alderman of *London*.

Dy'd

Dy'd Mrs. *Ellis*, Wife of *Richard Ellis*, Esq; only Son of Sir *William Ellis* of *Nocton* in *Lincolnshire* Bart. She was Daughter of Sir *Thomas Hussey*, Bart.

Aug. 18. Mrs. *Parsons*, Wife of *Humphrey Parsons*, Esq; Alderman of *London*, brought to Bed of a Son.

Mr. *Samuel Harris* and Mr. *David Gregory* nominated by his Majesty to be his Professors of modern History, the first in the University of *Cambridge*, and the other in that of *Oxford*.

Thomas Digges of *Chilham-Castle* in the County of *Kent*, Esq; marry'd to Mrs. *West*, Daughter of *John West*, Lord *De la War*.

John Blois, Esq; appointed Register to the Commissioners of Excise, in the Room of *Thomas Yarburgh*, Esq; deceas'd.

Mr. *Wren*, a Clergyman, shot himself at *Sheerness*, and dy'd immediately.

Aug. 20. Dy'd of the Small Pox, at his Palace of *Buen-Retiro*, near *Madrid*, *Lewis* I. King of *Spain*, in the 8th Month of his Reign, and aged seventeen Years and six Days, being born on the 14th of *August*, 1707. This Prince was the eldest Son of *Philip* Grandson of *France*, King of *Spain*, and of *Maria-Louisa-Gabriela* of *Savoy*, his first Wife, who dy'd the 14th of *February*, 1714. He was acknowledged by the *Cortes* or States of *Spain*, Presumptive Heir of the Crown of *Spain*, on the 7th of *April*, 1709. He was marry'd at *Lerma* the 21st of *January*, 1722, to *Louisa-Elizabeth* of *Orleans*, called *Mademoiselle de Montpensier*, Daughter of *Philip* of *Orleans* II. of the Name, Grandson of *France*, and of *Mary-Frances*, legitimated Daughter of *Lewis* XIV. King of *France*. His Father King *Philip* having abdicated the Crown on the 15th of *January*, 1724, he was proclaimed and acknowledged King of *Spain*, the next Day, being the 16th of that Month: Upon his Death, his Father resumed the Government.

Aug. 22. Dy'd Dr. *Thomas Bowers*, Bishop of *Chichester*.

Aug. 23. Dr. *William Bradshaw*, Chaplain in Ordinary to his Majesty, appointed Bishop of *Bristol*, and Dean of *Christ-Church* in *Oxon*, void by the Resignation of Dr. *Hugh Boulter* translated to the See of *Armagh* in the Kingdom of *Ireland*.

Aug. 25. The Lady of *Charles* Lord Viscount *Townshend*, brought to Bed of Twins, a Son and a Daughter.

Dr.

Dr. *Waddington* nominated Bishop of *Chichester*, in the Room of Dr. *Thomas Bowers*, deceas'd.

Samuel Moore, Esq; appointed one of his Majesty's Council for the Island of *Jamaica*, in the Room of *Moorat*, Esq; deceas'd.

Dr. *Robert Clavering*, his Majesty's *Hebrew* Professor in the University of *Oxon*, nominated Bishop of *Landaff* and Dean of *Hereford*, in the Room of Dr. *John Tyler*, deceas'd.

Aug. 27. The Parliament met at *Westminster*, and was farther prorogu'd to the 24th of *September*.

Aug. 28. *John Horn*, *Anthony Walraven*, *John Merry*, *Lumley Davis*, and *James Harman*, executed at *Tyburn*. [See *July* 10]

Dy'd Mr. *Thomas Shepherd*, Lecturer of the united Parishes of St. *Edmund the King* and St. *Nicholas Acors* in *Lombard-street*.

A Fire broke out in *Half-Moon Court* in *White-chapel*, and consumed six small Houses and some Stabling.

Dy'd Sir *Samuel Stanier*, Alderman of the Ward of *Aldgate*.

Dy'd in Childbed the Lady of Sir *William Dowdeswell*.

Aug. 29. His Excellency *Hag Abdelcader Perez*, Embassador from the Emperor of *Morocco*, had a private Audience of Leave of his Majesty; as he had also of the Prince and Princess of *Wales*, on the 31st.

Dy'd Dr. *Brown*, Canon of *Windsor*, and Rector of St. *Margarets Pattens* in *London*.

Aug. 30. Dy'd the Lord *Montgomery*, eldest Son of *Alexander Montgomery*, Earl of *Eglington*.

Aug. 31. Dy'd Mrs. *Barker*, Wife of *Barker* Esq; of *Hatton Garden*, *Turkey* Merchant of *London*. She was Daughter of Sir *Richard Gough* of *Chelsea* in the County of *Middlesex*, Knt.

Sept. 1. *John Bridges* Marquess of *Carnarvon*, eldest Son of *James Bridges*, Duke of *Chandos*, marry'd to the Lady *Catharine Talmash*, Daughter of *Lionel Talmash*, Earl of *Dysert*.

Francis Porteen, Esq; unanimously elected Alderman of the Ward of *Aldgate*, in the Room of Sir *Samuel Stanier*, deceas'd.

A Fire broke out in *Conduit-street*, near *Hanover-Square*, which consum'd that House, and all the Furniture. Captain *Barbute*, a *Frenchman*, and Half-pay Officer, perished in the Flames.

Sept.

Sept 2. Dy'd Mr. *John Lowthorp*, a Nonjuring Clergyman, Library-Keeper to the Duke of *Chandos*.

Mr. *Anthony Ellis* appointed one of the Prebendaries of the Cathedral Church of *Gloucester*.

Dy'd Mrs. *Godfrey*, Wife of *Richard Godfrey*, Esq; one of the Masters in Chancery.

Sept. 3. Dy'd *Jane* Countess of *Glasgow*, Wife of *David Boyle*, Earl of *Glasgow*. She was Daughter and sole Heir of *William Mure* of *Rowallen*, Esq;

Sept. 4. The Dutchess, Wife of *Charles Lenos*, Duke of *Richmond*, brought to Bed of a Son, who dy'd soon after.

Dy'd the Countess of *Londonderry*, Relict of *Ridgeway*, Earl of *Londonderry* in the Kingdom of *Ireland*.

Joseph Ward and *Anthony Upton* executed at *Tyburn*. [See *Aug*. 14.]

Sept. 5. Dy'd Lieutenant-General *John-Richmond Web*, Member of Parliament for *Ludgershal* in the County of *Wilts*.

Dr. *Ingram* made a Canon of *Windsor*, in the Room of Dr. *Brown*, deceas'd.

Sept. 6. The Lady *Parker*, Wife of *Thomas* Lord *Parker*, only Son of the Earl of *Macclesfield*, Lord High Chancellor of *Great Britain*, brought to Bed of a Son.

Dy'd Sir *William Daines* of the City of *Bristol*, Kt.

Dy'd the Lady *Perkins*, Wife of Sir *William Perkins* of *Chertsey* in the County of *Surrey*, Kt.

Sept. 8. Sir *John Hynde-Cotton* of *Madingley-Hall* in the County of *Cambridge*, Bart. marry'd to Mrs. *Trefusis*, Widow of *Samuel Trefusis* of *Trefusis* in the County of *Cornwall*, Esq; and Daughter of *James Craggs*, Sen. Esq;

Dy'd the Lady *Eyre*, Wife of Sir *Robert Eyre*, Lord Chief Baron of the Exchequer.

Sept. 9. Dy'd *Thomas Blunden* of *Hampstead* in *Middlesex*, Esq;

The King conferr'd the Honour of Knighthood on *John Rush* of *Streatly* in the County of *Bucks*, Esq; High Sheriff of that County.

The Lady *Mary Tufton*, Wife of *Sackville Tufton*, Esq; brought to Bed of a Son.

Dy'd Sir *John Drake* of *Ash* in the County of *Devon*, Bart. and was succeeded in Honour and Estate, by his Brother, *William Drake*, Esq;

Dy'd *Richard Lee* of *Winslade* in the County of *Devon*, Esq;

Sept. 12. Dy'd Sir *Bryan Broughton* of *Broughton* i the County of *Stafford*, Bart. Member of Parliament fo *Newcastle under Line* in that County, and was suceede in Honour and Estate, by his Son of the same Name.

Sept. 14. *John Verney*, Esq; Son of *George Verney*, Lor *Willoughby* of *Brook*, marry'd to Mrs. *Harley* Daughter of *Edward Harley* of *Eyeward* in the Cou ty of *Hereford*, Esq; one of the Auditors of the Im prest, and Uncle of *Edward Harley*, Earl of *Oxford*, an Earl *Mortimer*.

Sept. 15. Dy'd *Philip Tully*, Esq; one of the Seconda ries of the Pipe-Office.

Sept. 16. *Alexander Brodie* of *Brodie* in *Scotland*, Esq marry'd to Mrs. *Sly*, Daughter of Major *Sly*.

Sept. 17. Dy'd Mrs. *Bennet*, one of th Daughters, and Co-heiresses of Sir *Levinus Bennet* of B *bram* in the County of *Cambridge*.

Sept. 18. Mr. *Robert Cheek*, Apothecary in *Wych-street* elected Treasurer of *Christ's Hospital*, in the Room o Sir *George Mertins*, who resign'd.

Dy'd *David Jones* of *Penryalt* in the County of *Ca digan*, Esq; High Sheriff of that County.

Dy'd *Breedon*, Esq; Son of Sir *Robe Breedon*, Knt. formerly Sheriff of *London* and *Middle sex*.

Sept. 22. Mrs. *Morrice*, Wife of *Humphry Morrice*, Esq Merchant of *London*, and Member of Parliament fo *Grampound* in *Cornwall*, brought to Bed of a Son.

Dy'd the Lady *Fairborn*, Wife of Sir *Stafford Fair born*.

Dy'd in the 13th Year of her Age, Mrs. *Byron*, eldest Daughter of *William* Lord *Byron* of *Rochdale* by his second Wife, the Lady *Frances Bentinck*, Sister o *Henry Bentinck*, Duke of *Portland*.

Sept. 23. Dy'd Mrs. *Newland*, Wife of *William New land* of *Gatton* in the County of *Surrey*, Esq;

Sept. 24. The Parliament met at *Westminster*, and wa farther prorogu'd by Commission, 'till the 12th of *No vember* following.

Dy'd *Lettlehale* of *Maidstone* in *Kent*, M. D

Sept. 25. Dy'd Mrs. *Bainbrig*, Wife of Dr. *Bainbrig*, M. D. and Fellow of the College of Phy ficians.

Sept. 26

Sept. 26. Mr. *Oldenbourg*, a Lieutenant of Invalids, shot himself through the Head at his Quarters in *Plymouth*.

Sept. 27. Dy'd the Lady *Sloane*, Wife of Sir *Hans Sloane*, M. D.

Sept. 28. Dy'd in the 84th Year of his Age, Dr. *Only*, Minister of *St. Margaret's*, *Westminster*, and Prebendary of the Collegiate Church of *St. Peter's*, *Westminster*.

Sept. 29. Sir *George Mertins*, Knt. elected Lord Mayor of *London* for the Year ensuing.

Dy'd Dr. *Franks*, Dean of *Lismore* in the Kingdom of *Ireland*.

Sept. 30. *Simon* Lord Viscount *Harcourt* marry'd to the Lady *Walter*, Relict of Sir *John Walter* of *Saresden* in the County of *Oxon*, Bart.

Dy'd Sir *Lawrence Anderton* of *Lostick* in the County Palatine of *Lancaster*, Bart.

Dy'd Sir *Philip Castleton*, Bart.

Oct. 1. The King return'd from *Windsor* to his Palace at *Kensington*.

George Bowers, Esq; of in the County of *Durham*, marry'd to Mrs. *Verney*, Daughter of *George Verney*, Lord *Willoughby* of *Brooke*.

Dy'd at *Fontainbleau*, *Thomas Crawford*, Esq; Secretary of the *British* Embassy at the Court of *France*.

Dy'd *Charles Hern* of the *Inner-Temple*, Esq; Barrister at Law.

William Sneyd of *Bishton* the County of *Stafford*, Esq; marry'd to Mrs. *Edmunds*.

Oct. 3. Dr. *Ingram* appointed one of the Prebendaries of *Westminster*, in the Room of Dr. *Only*, deceas'd.

Dy'd Dr. *Langford*, Preacher of the *Charter-House*, and one of the Chaplains of *Chelsea-College*, in the 70th Year of his Age.

Mr. *Mawson*, B. D. senior Fellow of *Bennet-College* in *Cambridge*, elected Master of the said College, in the Room of Dr. *Samuel Bradford*, Bishop of *Rochester*, who resign'd.

Dy'd Col. *Grahme* of *Enfield-Chase*.

Dy'd Sir *William Hope*, Knt. formerly Deputy-Governor of *Edinburgh* Castle.

Oct. 4. Dy'd Dr. *Thomas Cheyney*, first Master of *Winchester* School, and one of the Canons of *Wilts*.

Richard Tickell, Esq; appointed Secretary at War in *Ireland*.

Oct. 6. Dy'd *Thomas Lewis* of *Hampton* in the County of *Radnor*, Esq;

Oct. 7. Dy'd Mrs. *Egerton*, Widow of *Thomas Egerton*, Esq; Uncle of *Scroop Egerton*, Duke of *Bridgewater*. She was Daughter of Sir *John Busby* of the County of *Bucks*.

Dy'd *William Sharpe* of *Waltham-Abbey*, Esq; He had been twice Governor of *Barbadoes*.

Dy'd *William Symonds*, Esq; Master of the King's Bench-Office.

Mr. *Day* appointed Chaplain of *Chelsea-College*, in the Room of Dr. *Langford*, deceas'd.

Dy'd Mr. *Littlebury*, Builder to all his Majesty's Forts and Garrisons in *England*.

Dy'd *George Wheeler*, Esq; Barrister at Law, one of the Secondaries of the Court of Common Pleas and Deputy-Treasurer of the *Inner-Temple*.

Oct. 9. Dy'd of the Small Pox, at the Age of 18 Years, *Edward Neville*, Lord *Abergavenny*, and dying without Issue, was succeeded in Honour and Estate, by *Neville*, Esq; of in the County of *Sussex*.

Oct. 10. Dy'd Mr. *Francis Snell*, Chief Clerk in the Office of the Auditor of Excise.

Oct. 11. Dy'd the Lady *Henrietta Butler*, Countess of *Grantham*, first Lady of the Bedchamber to the Princess of *Wales*. She was Daughter of *Thomas Butler*, Earl of *Ossory*, and Wife of *Henry D'Auverquerque*, Earl of *Grantham*.

The Lady *Cornwallis*, Wife of *Charles* Lord *Cornwallis*, brought to Bed of a Daughter.

William Lee, Esq; *Latin* Secretary to his Majesty, and King's Counsel in the *Dutchy-Court*, Brother of Sir *Thomas Lee* of *Hartwell-House* in the County of *Bucks*, Bart. marry'd to Mrs. *Goodwin*, only Daughter and Heiress of Mr. *Goodwin*, Register to the Archdeaconry of *Suffolk*.

Oct. 13. Dy'd *Marmaduke Bealing*, Esq; Register of the Warrants of the *Custom-House*.

Dy'd at *Montpellier* the Lord *Polwarth*, aged 21 Years. He was the eldest Son of *Hume*, Earl of *Marchimont*, one of his Majesty's Plenipotentiaries at the Congress of *Cambray*.

Oct. 14. Dy'd Sir *Richard Houblon* of *Langley* in the County of *Bucks*, Knt.

Mrs.

Mrs. *Mordant* made one of the Maids of Honour to the Princess of *Wales*, in the Room of Mrs. *Sophia How*.

Oct. 16. Mrs. *Mary Aislabie*, Daughter of *John Aislabie* of *Studely* in the County of *York*, Esq; marry'd to *Slingsby*, Esq; Son of Sir *Slingsby*, Bart.

Oct. 17. Dy'd *Henry Segar*, Esq; Controller of the Customs in the Port of *Hull*, and chief Clerk in the Annuity-Office in the Exchequer.

The Wife of *Cholmondeley*, Esq; eldest Son of *George Cholmondeley*, Lord *Newbourg*, brought to Bed of a Son.

The following Malefactors being convicted of capital Crimes, at the Sessions House in the *Old Baily*, received Sentence of Death; *viz.* *Julian*, a Negroe Boy, for setting Fire to the House of his Mistress, Mrs. *Turner* of *Sunbury*; *Joseph Blake* alias *Blueskin* for Burglary, and *Thomas Brough* for Horse-stealing: These were convicted on the *Middlesex* Side; and on the 21st the following Malefactors, being convicted on the *London* Side, likewise receiv'd Sentence of Death; *viz.* *Abraham Daval* for counterfeiting a Lottery Certificate; *Moses Ouseman* for privately stealing near 200 *l.* out of a Dwelling-House; *William Grove* for robbing his Master of twenty-five Guineas; and *Catharine Knox* for Shoplifting. Three Men and one Woman being convicted of several Felonies, were burnt in the Hand; and 45 were order'd for Transportation. *Louis Houssare*, a *French* Barber, was try'd upon an Appeal for murdering his Wife, and found guilty, but his Sentence deferr'd 'till the 30th of *November* following, in Order to have the Opinion of all the Judges in Relation to a Point in Law concerning a former Appeal that had been lodged against him.

Oct. 18. Dy'd *George Evelyn* of *Rooksnest* in the County of *Surrey*, Esq; Member of Parliament for *Blechingly* in that County, and one of the Clerks of the Greeen-Cloth to the Prince of *Wales*.

The Lady of Sir *Henry Bedingfield* of in the County of *Norfolk*, Bart. brought to Bed of a Son.

Richard Thompson, Esq; made one of the Secondaries of the Court of Common-Pleas, in the Room of *George Wheeler*, Esq; deceas'd.

Dr. *Baincroft*, elected Preacher at the *Charter-House*, in the Room of Dr. *Langford*, deceas'd.

Oct. 19.

Oct. 19. Dy'd the Wife of *William Pierce-William*, Esq; Barrister at Law, and Member of Parliament for the Borough of *Bishop's-Castle* in the County of *Salop*.

Thomas Wynne of *Bodgan* in the County of *Carnarvon*, Esq; Equerry to the Prince of *Wales*, and Member of Parliament for the Town of *Carnarvon*, appointed one of the Clerks of the Green-Cloth to his Royal Highness in the Room of *George Evelyn*, Esq; deceas'd.

Oct. 20. A Lioness in the Tower brought forth two he Lions.

John Littlebury, Esq; appointed Builder to all his Majesty's Forts and Garrisons in *England*, in the Room of his Father, deceas'd.

Oct. 21. Dy'd Dr. *John Davys*, senior Fellow of *Magdalen-College* in *Oxford*.

Oct. 22. Dy'd *William Chambers*, Esq; an eminent Merchant of *London*.

Mr. *John Burton* chosen first Master of *Winchester-School* in the Room of Dr. *Thomas Cheney*, deceas'd.

Dy'd *John Branthwaite* of in the County of *Norfolk*, Esq;

Oct. 23. *Thomas Wyndham* of *Lincoln's-Inn*, Esq; appointed Lord Chief Justice of the Common-Pleas in *Ireland* in the Room of Sir *Richard Levinge*, Bart. deceas'd. The said *Thomas Wyndham*, Esq; was likewise appointed one of his Majesty's Privy Council in the said Kingdom of *Ireland*.

Oct. 24. Dy'd Mrs. *Elizabeth Masham*, Daughter of *Samuel* Lord *Masham* of *Oates*.

Dy'd *Charles Jones*, L. L. B. one of the Prebendaries of *Wells*.

Oct. 25. Dy'd Mr. *John Sewell*, Register and Chapter-Clerk to the Dean and Canons of *Windsor*.

William Fraser of *Fraserdale*, Esq; Brother of *Alexander Fraser*, Lord *Salton*, marry'd to the Lady *Erskin*, Daughter of *David Erskin*, Earl of *Buchan*.

Oct. 26. Dy'd *Richard Vaughan* of *Derwidh* in the Shire of *Carmarthen*, Esq; Member of Parliament for the Town of *Carmarthen*, and one of the *Welch* Judges.

Mr. *Ayarst*, Chaplain and Secretary to Sir *Robert Sutton*, in his Embassy at *Paris* made Prebendary in the Collegiate Church of *Canterbury*, in the Room of Dr. *Thomas Bowers*, Bishop of *Chichester*, deceas'd.

Mr.

Mr. *Barclay* made Prebendary of the *Free-Chapel* in *Windsor*, vacant by the Death of Dr. *Browne*.

Dy'd Dr. *Charles Crow*, Bishop of *Cloyne* in the Kingdom of *Ireland*.

Oct. 27. Dy'd *George Henshaw*, Esq; his Majesty's Consul at *Genoa*, at the Baths at *Recco*, near that City.

Oct. 29. Dy'd Major *James Cunningham* of *Asket*, Lieutenant-Governor of *Fort-William* in *Inverlochy* in *Scotland*.

Oct. 30. The Lady *Ashburnham*, Wife of *John* Lord *Ashburnham*, brought to Bed of a Son.

Dy'd at the Age of 90 Years, Mr. *Kyrle* of *Ross* in *Herefordshire*.

Nov. 1. Dy'd Dr. *Humphrey Prideaux*, Dean of *Norwich*.

Mr. *Sturgis* appointed Controller of the Customs in the Port of *Hull*, in the Room of Mr. *Seager*, deceas'd.

Mr. *Beaver* appointed Clerk in the Annuity-Office in the Exchequer, in the Room of the said Mr. *Seager*, deceas'd.

Nov. 5. *Trevor*, Esq; second Son of *Thomas* Lord *Trevor*, appointed one of the Judges in the Principality of *Wales*, in the Room of *Richard Vaughan*, Esq; deceas'd.

Dr. *Savage*, Master of *Emanuel-College* in *Cambridge*, elected Vice-Chancellor of that University in the Room of Dr. *Jonathan Snape*, Provost of *King's-College*.

Nov. 7. Dy'd Mrs. *Folks*, Relict of *Martin Folks* of *Grey's-Inn*, Esq; and Sister of Mrs. *Wake*, Lady of the Archbishop of *Canterbury*.

Sir *Edmund Bacon* of *Garboldeskam* in the County of *Suffolk*, Bart. marry'd to Mrs. *Rebow*, Daughter of Sir *Isaac Rebow* of *Colchester* in the County of *Essex*, Knt.

Nov. 9. *Windsor Sandys*, Son of *Windsor Sandys* of in the County of *Gloucester*, Esq; marry'd to Mrs. *Brown*, eldest Daughter of *Brown* of *Islington* in the County of *Middlesex*, Esq;

Mr. *Ellis*, a noted Schoolmaster at *Mortlock* in *Surrey*, stabbed himself with a Knife, and dy'd immediately.

Nov. 10. Dy'd *Peter Godfrey*, Esq; one of the Representatives in Parliament for the City of *London*.

Nov. 11.

Nov. 11. *Abraham Daval*, *Julian*, a Negro, and *Joseph Blake*, executed at *Tyburn*. [See *Oct.* 17.]

Dy'd *Charles Strickland*, Esq; Rear-Admiral of the *Red*.

Mr. *Richard Bradley*, F. R. S. chosen Professor of Botany in the University of *Cambridge*.

Nov. 12. The Parliament of *Great Britain* met at *Westminster*, and the King open'd the Session by making a most gracious Speech to both Houses.

Dy'd Major *Rose*, an eminent *Jamaica* Merchant, and formerly one of his Majesty's Council in that Island.

Dy'd Dr. *de L'Angle*, senior Prebendary of the Cathedral Church of *Canterbury*.

Dr. *Cole*, Rector of *Newson* in the Isle of *Ely*, made Dean of *Norwich*, in the Room of Dr. *Humphrey Prideaux*, deceas'd.

Nov. 14. Dy'd at his Seat at *Huntingtour*, near *Perth* in *Scotland*, in 65th Year of his Age, *John Murray*, Duke, Marquess, and Earl of *Athol*, Marquess and Earl of *Tullibardine*, Lord Lieutenant, and Hereditary Sheriff of *Perth*, Knight of the Order of the Thistle, Lord of Session, Bailiff of the Stewartry of *Fife*, and Hereditary Keeper of the King's Palace and Park at *Falkland*. He was Son of *John Murray*, Marquess of *Athol*, by the Lady *Amelia Stanley*, Daughter of *James Stanley*, Earl of *Derby*. He was twice marry'd, first to the Lady *Catharine Hamilton*, Daughter of *William* and *Anne*, Duke and Dutchess of *Hamilton*, by whom he had Issue five Sons and one Daughter, *viz.* *William*, commonly called Marquess of *Tullibardine*, who was attainted of High Treason, for being concern'd in the Rebellion, by the Act 1 G. *c.* 32. 2. The Lord *James Murray*, who succeeded to his Estate and Titles. 3. Lord *Charles*, who was convicted of Desertion by a Court-Marshal held at *Preston*, in the Year 1715. 4. Lord *George*. 5. Lord *Basil*, and 6. the Lady *Susanna Murray*. His second Wife was *Mary* Daughter of *William* Lord *Ross*, by whom he had one Son, nam'd *John*.

Dy'd Sir *James Abercrombie*, Knt. formerly Lieutenant Governor of *Dunkirk*.

Nov. 15. Dy'd Dr. *Watson*, one of the Prebendaries of *Westminster*.

Dy'd Dr. *Mendez Du Costa*, formerly Physician to Queen *Catharine*, Consort of King *Charles* II.

Nov. 1

Nov. 16. *John Sheppard*, the notorious Thief, who after his Condemnation, made his Escape twice out of *Newgate*, and was as often retaken, was executed at *Tyburn*.

Dy'd *Joseph Girdler*, Esq; Serjeant at Law.

Dy'd Dr. *Pound*, Minister of *Wanstead* in *Essex*.

Nov. 18. The Convocation of the Clergy further prorogu'd from this Day, to the 18th of *December* following.

Henry-Arthur Herbert, Esq; elected Member of Parliament for *Blechingly* in the County of *Surrey*, in the Room of *George Evelyn*, Esq; deceas'd.

Dy'd Sir *William Giffard* of in the County of *Stafford*, Bart.

Nov. 19. Dy'd *Grey Bennet*, Esq; Brother of *Charles Bennet*, Earl of *Tankerville*.

Dy'd Sir *Francis Dashwood*, Bart.

Dr. *Benjamin Ibbot*, Rector of St. *Paul's Shadwell*, made Prebendary of *Westminster*, in the Room of Dr. *Watson*, deceas'd.

Dr. *William Egerton*, Chaplain in ordinary to his Majesty, made Prebendary of *Canterbury*, in the Room of *De L'Angle*, deceas'd.

Dr. *Foulkes* made Canon of *Christ-Church* in *Oxford*, in the Room of Dr. *Hugh Boulter*, Bishop of *Bristol*, and promoted to the Archbishoprick of *Armagh* in *Ireland*.

Dy'd Mrs. *Ecklin*, Widow of Major-General *Ecklin*.

Nov. 19. Dy'd Dr. *Cob*, Warden of *Winchester-College*.

Joseph Girdler, Esq; Serjeant at Law, elected Recorder of *Tamworth*, in the Room of his Father, deceas'd.

Dy'd Mr. *Joseph Tanner*, one of the Surgeons of St. *Thomas's-Hospital*.

Henry Finch, Esq; elected Member of Parliament for the Borough of *Malton* in the County of *York*, in the Room of Sir *William Strickland*, Bart. deceas'd.

Nov. 20. *Shepherd*, Esq; elected Knight of the Shire for *Cambridgeshire*, in the Room of the Lord *Harley*, call'd up to the House of Peers, on the Death of his Father, *Robert* Earl of *Oxford*.

Sir *Walter-Wagstaffe Bagot* of *Blithfield* in the County of *Stafford*, Bart. elected Member of Parliament for the Borough of *Newcastle under Line*, in the said County, in the Room of Sir *Bryan Broughton*, Bart. deceas'd.

Dy'd Mrs. *Lethuillier*, Wife of *John Lethuillier* of *Aldersbrook* in the County of *Essex*, Esq; of a Contusion she receiv'd in her Head by the Overturning of her Coach.

Nov. 21. The Dutchess, Wife of *Charles Douglas*, Duke of *Dover* and *Queensbury*, brought to Bed of a Daughter.

Dy'd *John Turner*, Esq; only Son of Sir *Charles Turner* of *Wereham* in the County of *Norfolk*, Knt.

Dy'd *John Newsham* of *Chadshunt* in the County of *Warwick*, Esq;

Dy'd Sir *Philip Jackson*, Knt. one of the Directors of the Bank.

Thomas Brereton, Esq; elected Member of Parliament for the Borough of *Liverpool*, in the Room of *Langham Booth*, Esq; deceas'd.

Nov. 26. Dy'd Mr. *Hilkiah Bedford*, a Nonjuring Clergyman, Author of the Book, entitled, *The Hereditary Right of the Crown of* England *asserted*.

Dy'd Captain *Cook*, formerly Commander of the *Burford* Man of War.

Dy'd the Lady *Boynton*, Wife of Sir *Griffith Boynton*, of in the County of *York*, Bart.

Nov. 27. The Lady of *James* Lord *Compton*, Son and Heir apparent of *George Compton*, Earl of *Northampton*, brought to Bed of a Son.

Dy'd *Whitlock Bulstrode* of *Hounslow* in the County of *Middlesex*, Esq; formerly a Commissioner of the Excise.

Nov. 28. Dy'd *Robert Marsham*, Baron of *Romney* in the County of *Kent*, and Bart. He marry'd *Elizabeth*, one of the Daughters and Co-heirs of Sir *Cloudesly Shovel*, Knt. by whom he left Issue *Robert*, who succeeded to his Titles and Estate, and three Daughters, *Elizabeth*, *Sophia*, and *Anne*.

Nov. 30. *Louis Houssart*, the *French* Barber, receiv'd Sentence of Death at the *Old Baily*. [See *Oct.* 17.]

About this Time came Advice, that *Hamilton*, Esq; Brother of *John Hamilton*, Lord *Belhaven*, first Lieutenant of his Majesty's Ship the *Dover*, dy'd at *Lisbon* on the 9th of this Month.

Mr. *Soley* appointed one of the Prebendaries of the Cathedral Church of *Winchester*.

Dy'd Mr. *Frome*, a *German*, and by Trade a Taylor, at the Age of 111 Years.

Dy'd Mr. *Laurence Braddon*, who in the Reign of King *James* II. together with Mr. *Hugh Spence*, was fin'd

10000 l.

10000 *l.* for writing a scandalous Libel, entitled, *An History of the Murder of the Earl of* Essex, &c.

Mrs. *Noel*, Daughter of the Lady *Irwin*, marry'd to the Lord *Missingtoun*, only Son of *David Collier*, Earl of *Portmore*.

Dec. 2. Dy'd in *Newgate*, *James Chambers*, a *Scot*, where he had been Prisoner about 29 Years for the *Assassination Plot* against King *William* III.

Dec. 3. Dy'd *Erskine*, Esq; Brother of *David Erskine*, Earl of *Buchan*.

Dy'd Mr. *Benton*, Purveyor to his Majesty.

Dec. 7. Her Royal Highness the Princess of *Wales*, deliver'd at *Leicester-House* of a Princess, at half an Hour past Four in the Afternoon.

Louis Houssart the *French* Barber, executed on a Gibbet, erected in *Shoreditch*. [See *Nov.* 30.]

Mr. *Lewis* and Mr. *Oliphant*, Lieutenants in Major-General *Evan's* Regiment of Dragoons, fought a Duel at the *Mitre-Tavern*, *Charing-Cross*, and the first of them was run through the Body, and dy'd the next Day.

Dec. 8. Dy'd *Thomas Burrow* of *Clapham* in the County of *Surry*, Esq; one of the Justices of Peace for that County.

Dr. *Stephen Weston* made Bishop of *Exeter*, in the Room of Dr. *Lancelot Blackburn*, promoted to the Archbishoprick of York, in the Room of Sir *William Dawes*, deceas'd.

Sturgis, Esq; made Register of the Warrants in the Port of *London*, in the Room of *Marmaduke Bealing*, Esq; deceas'd.

Dy'd the Lady *Bernard*, Relict of *Christopher Vane*, Lord *Bernard* of *Bernard's-Castle* in the County of *Durham*.

Dec. 9. The King conferr'd the Honour of Knighthood on *Joseph Eyles*, Esq; one of the Sheriffs of *London*.

This Day the Sessions ended at the *Old Baily*, where four Men receiv'd Sentence of Death, *viz.* *William Anderson*, for a Street Robbery; *Rowland Swanson*, and *Thomas Herbert* for Burglary and Felony; and *Charles Towers* for riotously assembling at the Head of many other Rioters, disguis'd and arm'd, in the new Mint in *Wapping*. Eight Felons Convict were burnt in the Hand, and forty-five order'd for Transportation.

Dec. 10.

Dec. 10. Sir *Robert Sutton* of *Broughton* in the County of *Lincoln*, Knt. marry'd to the Countess, Relict of Charles *Spencer*, Earl of *Sunderland*.

The Convocation which stood prorogu'd to the 16th of this Month, was farther prorogu'd to the 29th of *January* following.

Dr. *John Dobson*, Warden of *New College*, *Oxon*, chosen Warden of *Winchester-College*, in the Room of *Cob*, deceas'd.

Dec. 11. Sir *Richard Hopkins*, Knt. Alderman of *London*, for the Ward of *Lime-street*, chosen one of the Representatives in Parliament for that City, in the Room of *Peter Godfrey*, Esq; deceas'd.

Dr. *Lancelot Blackburn*, Lord Archbishop of York, sworn one of the Lords of his Majesty's most Honourable Privy Council, and took his Place at the Board accordingly.

Dy'd *Joshua Lomax* of *St. Albans*, Esq; formerly Member of Parliament for that Borough.

Dec. 12. Dy'd Mrs. *Harriet Boscawen*, eldest Daughter of *Hugh Boscawen*, Lord Viscount *Falmouth*.

The Lady *Saville*, Wife of Sir *George Saville*, of in the County of *Nottingham*, Bart. brought to Bed of a Daughter.

Dy'd Col. *Stanley*, Brother of Sir *John Stanley*, Bart.

Anthony Cornish, Esq; elected Member of Parliament for the Borough of *Ludgershal* in the County of *Wilts*, in the Room of *John-Richmond Web*, Esq; deceas'd.

Dy'd Sir *Richard Pye* of *Clifton-Campail* in the County of *Stafford*, Bart. and was succeeded in Honour and Estate by his only Brother *Robert Pye*, a Clergyman.

Dec. 14. Eighty-four Felons Convict were taken out of *Newgate*, and put on Shipboard, to be transported to the Plantations in *America*.

Dy'd Mrs. *Elizabeth Bowes*, Wife of *George Bowes* of the Bishoprick of *Durham*, Esq; in the 15th Year of her Age. She was Daughter of *Thomas Verney*, Esq;

Dy'd in the 77th Year of his Age, *Edward Cooke* of *Higham* in the County of *Gloucester*, Esq;

Dec. 15. Dy'd *Stephen Parry* of *Nenhad* in *Cardiganshire*, Esq; Member of Parliament for the Town of *Cardigan*.

Dy'd *Thomas Betton* of *Mile-End* in *Middlesex*, Esq; an eminent *Turky* Merchant.

Dec. 16. Dy'd Colonel *George Somerville*, formerly Adjutant-General in *Scotland*.

FINIS.